



State Highway Professional Services Contract Proforma Manual (SM030)

NZ TRANSPORT AGENCY WAKA KOTAHİ

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Version 11

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More information

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This document is available on NZTA's [website](#).

DOCUMENT MANAGEMENT PLAN

Purpose

This Document Management Plan details updates, amendments and contact points for the *State Highways Professional Services Contract Proforma Manual (SM030)*.

This Manual is the property of NZTA and its issue is controlled. No part of it may be communicated to any person outside the organisation without written authority. Any copy released outside NZTA is not a controlled copy and will not be updated.

Document Information

This document has the status of a standard as defined in the *NZTA Register of network standards and guidelines manual*.

The objectives of this manual are to set out the standards for professional services contracts for NZTA business in a best practice manner that meets NZTA goals.

The content is based on the NZTA current best business practices and those developed in the past.

While all care has been taken in compiling this document, NZTA accepts no responsibility for failure in any way related to the application of this standard or any reference noted in it.

Document Name	State Highway Professional Services Contract Proforma Manual
Manual Number	SM030
Manual Owner	Procurement Policy, Capability and Reporting
Manual Sponsor	Head of Procurement

Amendment and Review Strategy

This document is subject to review and amendment from time-to-time. Document revisions will be noted in an accompanying Record of Amendment detailing the changes and section(s) affected.

All Corrective Action/Improvement Requests (CAIRs) suggesting changes will be acknowledged by Manual Owner.

A Record of Amendment for each publication is available for viewing on the NZTA [website](#).

	COMMENTS	FREQUENCY
Amendments (of a minor nature)	Incorporate in Annual Review may require coordinating with NZTA Board meetings	Annual: January – March Quarter or as required

Review (major changes)	Amendments fundamentally changing the content or structure of the manual will be incorporated as soon as practicable	Annually: January – March Quarter or as required
Notification	<p>Revisions are notified in the quarterly Standards and Guidelines newsletter which is published on the Highways Information Portal. The audience of this newsletter is anyone that is currently subscribed to receive Technical Advice Notes. In addition, all users that have <u>subscribed to updates on our website</u> will be advised by email of revisions.</p>	Quarterly or as required

Other Information (at Manual Owner's discretion)

There will be occasions, depending on the subject matter, when amendments will need to be worked through by subject matter experts under the direction of the NZTA Procurement Policy, Capability and Reporting team before the amendment is actioned. This may cause some variation to the above noted timeframes.

Feedback

If you have any comments with regard to this manual, please email procurement@nzta.govt.nz with the subject line of "**Feedback for SM030**". Your request will be forwarded to the NZTA Procurement Policy, Capability and Reporting team for review.

FOREWORD

A key activity for NZTA is the management of consultants through the use of Professional Services Contracts as defined by the NZTA Procurement Manual.

This latest edition of the *State Highways Professional Services Contract Proforma Manual (SM030)* continues to be an important part of the NZTA Business Case Approach and other relevant frameworks for project development and delivery.

This manual is designed to be a series of interconnected documents that can be pulled together to form a single professional services contract, together with a series of Minimum Standards for the presentation of the relevant Contract deliverables, and to serve as the primary reference for most state highway consultancy contracts.

As such, to function successfully, this manual must continue to include current NZTA business practices which develop and change, therefore being subject to future amendment and change. As greater experience is gained in the application of the Business Case Approach, further refinements will be incorporated into the manual.

We look forward to the further contribution of NZTA people and consultancy suppliers to ensure that this manual continues to be consistent with current business practice and meet the needs of all the NZTA groups.

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Introduction

1. How to Use This Manual

1.1 Purpose

- 1.1.1 The purpose of this manual is to hold the NZTA's standard professional services contract documentation and to provide a guide to staff preparing professional services contract documents for NZTA.
- 1.1.2 The manual contains the NZTA's *Request for Tender* (RFT) documentation relating to professional services. The manual includes relevant Minimum Standard documents, Guidelines and Standard Forms as appendices. The manual also references supporting specifications and guidelines that can be found on the Highways Information Portal.
- 1.1.3 This manual forms the basis of formal RFT documentation used to engage a consultant for relevant professional services, including the investigation, development, design and surveillance of any construction or improvement project, maintenance management, bridge and other structures management and traffic monitoring.

1.2 Highways Information Portal

- 1.2.1 The [Highways Information Portal](#) is a comprehensive central hub, which accommodates all current standards, advice notes and other published documents relating to the design, assessment, operation and maintenance of state highways.
- 1.2.2 The Portal has been developed from a number of separate series of documents previously published by NZTA. These documents, together with new material, have been gathered in a single website to help in meeting our quality standards and is intended for use by NZTA staff and our suppliers.
- 1.2.3 The link between content on the Portal and SM030 is discussed further in section 4 below.

1.3 Interrelationships with other manuals

- 1.3.1 Those preparing the RFT documentation should refer to other NZTA manuals, standard guidelines and strategies in the preparation of RFTs, including, but not limited to the following:
 - a) [Procurement Manual](#)
 - b) [Infrastructure Procurement Strategy](#)
 - c) [Contract Procedures Manual \(SM021\)](#)
 - d) [State Highway Construction Contract Proforma Manual \(SM031\)](#)
 - e) [Project management guide \(SM011\)](#)
 - f) [Broader Outcomes Strategy](#)
 - g) [Privacy guide for suppliers and service providers](#)

1.4 Document availability

- 1.4.1 SM030 is available in PDF form on the NZTA [website](#).
- 1.4.2 SM030 is available to NZTA staff in MS Word format.

1.1.3 The proforma manual (word and PDF versions) are held electronically on the NZTA fileserver.

2. Proforma Document Use and Structure

2.1 Overview

2.1.1 NZTA has developed multiple proforma tender documents, with the objective of providing a consistently high quality of tender documentation, incorporating national and international best practices.

2.2 Roles and responsibilities

2.2.1 The NZTA **Project Manager** is responsible for the following tasks relating to document preparation and tender evaluation, **supported by the Procurement team**:

- a) Prepare the tender documentation **(with support from the Legal team)** using the proforma and submit to the project sponsor for review.
- b) Prepare the contract estimate and submit to the project sponsor for review.
- c) Lead or participate in any interactive tender process, as outlined in the Contract Procedures Manual (SM021) and the Project Management Manual (SM011).
- d) Lead or participate in the tender evaluation and contract award process, as outlined in SM021 and SM011.
- e) Identify and assist with resolution of any conflicts of interest of the evaluation team.

2.2.2 The Tender Secretary is responsible for administering the tender in accordance with this manual and shall ensure that all procedures followed are in accordance with the NZTA *Contract Procedures Manual* (SM021).

2.3 Consultancy Agreement

2.3.1 **The Consultancy Agreement** is to be used for **all relevant** professional services contracts and must be issued with a contract number.

2.3.2 The standard conditions of contract are ACENZ's *Conditions of Contract for Consultancy Services, Fourth Edition* (CCCS) – December 2017. These conditions of contract can be downloaded from ACENZ's website.

2.3.3 The process for customising the contract proforma and the subsequent compilation of the signing contract document sets is described below.

2.4 How to use the proforma documents

2.4.1 The proforma documents are accessed using MS Word.

2.4.2 The document creator is required to enter a number of details in creating the documents. This data is highlighted in the contract proforma.

2.4.3 The document creator will note that this manual copy uses a number of coloured text within the proforma. These colours have the following meanings:

COLOUR	STATUS
Black text	Is mandatory and may not be changed.
Red text	Is used for data which requires fields to be updated or at least considered for each contract and marked at the beginning with [and the end with]. Text can be used as is, modified or replaced.
Blue text	Is used for optional clauses which can be included as is or deleted in full.
Pink Text	Is used for required clauses and fields to be included for geotechnical tender documentation.
<<Guidance notes>>	Is used for guidance notes for the tender document creator and marked at the beginning with << and the end with >>. These must be removed prior to tender document release.
Green highlight	Is used for text that has been updated from the previous version

- 2.4.4 The text colour should be reset to black, and all guidance notes removed prior to printing the final document.
- 2.4.5 As a guide for the document creator, the proforma RFT has been developed to comprise a typical layout with examples of a tender schedule, payment schedule, headings for the scope of services, etc. Much of this information is in blue or red text and may be used, modified or replaced as the document creator sees fit.
- 2.4.6 Standard specifications are not required to be included in the RFT documentation when issued for tender.
- 2.4.7 Where, during the tender period, a page of the RFT is reissued, the replacement page should be tagged with a footer identifying the notice number and date, eg “Revised by NTT #3 - 1 May 2017”.
- 2.4.8 The contract documents are ultimately compiled for signing as required in the Contract Procedures Manual.

3. Contract Document preparation

3.1 Electronic tender documentation

- 3.1.1 Where practicable tender documentation should be made available, in an appropriate **editable** electronic form, for example an excel spreadsheet for the schedule of prices, or a word document for sections the tenderer is required to complete. **PDF format is appropriate** for tender documents.
- 3.1.2 Electronic documents are provided in good faith, to assist tenderers. No hard copy documentation will be provided.
- 3.1.3 It is the **Project Manager's** responsibility to have procedures in place for managing and checking any electronic information sent to and/or received for tendering purposes.
- 3.1.4 An electronic copy (PDF) of the RFT document and appropriate editable electronic versions of forms and schedules shall be provided to the **Tender Secretary** to issue with the GETS tender advertisement.

4. Manual Structure

4.1 Business case approach

- 4.1.1 Following the adoption of the Business Case Approach by NZTA, there has been a significant restructuring of this manual to account for the new templates and guidance housed on the [Highways Information Portal](#).
- 4.1.2 To leverage off the Highways Information Portal, a number of the professional services specifications have been decoupled from SM030 and housed under their associated technical discipline. However SM030 still serves as the contractual link between the service requested in our RFT documentation, **the contract** and the Highways Information Portal.

APPENDICES

Z Series: minimum standards

The following Minimum Standards have been developed for use in the standard contract environment. The latest versions are available in the Appendices of the Manual via the NZTA website..

MINIMUM STANDARD NUMBER	MINIMUM STANDARD TITLE	CONTRACT SCOPE REFERENCE
Z/1	Quality management specifications	CM
Z/2	Consultants programme	CM
Z/3	Physical Works Schedule Framework.	CM
Z/7	Physical works contract documentation	PI
Z/8	Inspection, sampling and testing	PI
Z/12	Supplier Performance Evaluation Framework	CM
Z/14	Liquidated damages	CM PI I
Z/15	Asset owner's manual	I
Z/16	Survey specification	PI

Z/17	Branding and communications standard	CM
Z/19	Taumata Taiao - environmental and sustainability standard	SSBC PI I
P/45	<u>Heritage specification for land transport infrastructure</u>	CM PI I
Z/44	Risk management practice guide	All
--	Contractor expectations: Minimum health safety and wellbeing requirements	All
--	Traffic Management Technology	All

Professional services forms

The following forms have been developed for use in the standard contract environment. The latest versions are available in the Appendices of the Manual, via the NZTA website, or electronically on the NZTA fileserver .

Consultants can request relevant Professional Services forms in electronic format from the Client's Representative (NZTA Project Manager).

FORM NUMBER	FORM TITLE	CONTRACT SCOPE REFERENCE
PSF/3a	Presentation of survey data	DBC
PSF/3b	Road construction information form	PI
PSF/3g	Capital project handover checklist	PI

PSF/4a	Justification of additional services	CM
PSF/4b	Request for extension of contract budget - physical works	CM I
PSF/4d	Notice to contractor	I
PSF/5b	Project completion certificate	CM
PSF/6a	Liquidated damages pre-assessment	PI I
PSF/6b	Agreement for entry onto land	CM
PSF/10b	Traffic counter operational check	TM
PSF/10c	Traffic classification operational check	TM
PSF/10d	Acceptable data submission formats	TM
PSF/14	Travel demand management checklist	DBC
PSF/15	Maintenance responsibilities during construction	PI I

Professional services guidelines

The following guidelines have been developed as references for the Project Manager, to assist in the development and use of standard contract documents. The latest versions are available in the Appendices of the Manual, via the NZTA website or electronically on the NZTA fileserver.

PSG NUMBER	GUIDELINE TITLE	CONTRACT SCOPE REFERENCE
PSG/3	Asset management guide for project design	PI
PSG/4	Risks known to the client	RFT
PSG/5	Pavement life assessment	PI
PSG/7	Traffic monitoring	TM
PSG/9	Delivery of as-built documentation	I
PSG/10	Coding, symbols and line types guideline for presentation of detailed survey data	DBC PI
PSG/11	Preferred framework for positioning/branding capital projects	CM
PSG/14	Travel demand management guide	DBC
PSG/15	Asset owner's manual	I