

## PRODUCER STATEMENT – PS4

### CONSTRUCTION REVIEW

BUILDING CODE CLAUSE(S): \_\_\_\_\_ JOB NUMBER: \_\_\_\_\_

ISSUED BY: \_\_\_\_\_

(Construction Monitoring Firm)

TO: \_\_\_\_\_

(Owner/Developer)

TO BE SUPPLIED TO: \_\_\_\_\_

(Building Consent Authority)

IN RESPECT OF: \_\_\_\_\_

(Description of Building Work)

AT: \_\_\_\_\_

(Address, Town/City)

LEGAL DESCRIPTION: \_\_\_\_\_ N/A ☐

We have been engaged by the owner/developer referred to above to provide **SELECT ONE level of construction monitoring relating to** the Clause(s) named above of the Building Code for the building work which is covered by PS1(s) issued by \_\_\_\_\_ (Engineering Design Firm) and which is described in the documents relating to the Building Consent No. \_\_\_\_\_ and those relating to Building Consent Amendment(s) No. \_\_\_\_\_ issued during the course of the works, .

We have sighted these Building Consents and the conditions attached to them.

If any of the fields above are too small, please write "refer the Schedule".

Authorised instructions/variation(s) detailed/listed in the Schedule have been issued during the course of the works.

On the basis of these review(s) and information supplied by the contractor during the course of the works and **on behalf of the engineering firm** undertaking this Construction Monitoring, **I believe on reasonable grounds** that the building works covered by the above-mentioned PS1(s) have been completed in accordance with the relevant requirements of the Building Consent and Building Consent Amendments identified above or in the Schedule on page 2, with respect to Clause(s) \_\_\_\_\_ of the Building Code. I also believe on reasonable grounds that the persons who have undertaken this construction review have the necessary competency to do so.

I, (Name of Construction Monitoring Professional) \_\_\_\_\_, am:

- CPEng number \_\_\_\_\_
- I hold the following qualifications \_\_\_\_\_

The Construction Monitoring Firm holds a current policy of Professional Indemnity Insurance no less than \$200,000 The Construction Monitoring Firm Choose an item. a member of ACE New Zealand.

SIGNED BY (Name of Construction Monitoring Professional): \_\_\_\_\_  
(Signature below):

ON BEHALF OF (Construction Monitoring Firm): \_\_\_\_\_ Date: \_\_\_\_\_

**Note:** This statement has been prepared solely for the Building Consent Authority named above and shall not be relied upon by any other person or entity. Any liability in relation to this statement accrues to the Construction Monitoring Firm only. As a condition of reliance on this statement, the Building Consent Authority accepts that the total maximum amount of liability of any kind arising from this statement and all other statements provided to the Building Consent Authority in relation to this building work, whether in tort or otherwise, is limited to the sum of \$200,000.

This form is to accompany **Forms 6 or 8 of the Building (Forms) Regulations 2004** for the issue of a Code Compliance Certificate.

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**SCHEDULE to PS4**

Please include an itemised list of all referenced documents, drawings, or other supporting materials in relation to this producer statement below: |

## GUIDANCE ON USE OF PRODUCER STATEMENTS

Information on the use of Producer Statements and Construction Monitoring Guidelines can be found on the Engineering New Zealand website

<https://www.engineeringnz.org/engineer-tools/engineering-documents/producer-statements/>

Producer statements were first introduced with the Building Act 1991. The producer statements were developed by a combined task committee consisting of members of the New Zealand Institute of Architects (NZIA), Institution of Professional Engineers New Zealand (now Engineering New Zealand), Association of Consulting and Engineering New Zealand (ACE NZ) in consultation with the Building Officials Institute of New Zealand (BOINZ). The original suite of producer statements has been revised at the date of this form to ensure standard use within the industry.

The producer statement system is intended to provide Building Consent Authorities (BCAs) with part of the reasonable grounds necessary for the issue of a Building Consent or a Code Compliance Certificate, without necessarily having to duplicate review of design or construction monitoring undertaken by others.

**PS1 DESIGN** Intended for use by a suitably qualified independent engineering design professional in circumstances where the BCA accepts a producer statement for establishing reasonable grounds to issue a Building Consent;

**PS2 DESIGN REVIEW** Intended for use by a suitably qualified independent engineering design review professional where the BCA accepts an independent design professional's review as the basis for establishing reasonable grounds to issue a Building Consent;

**PS3 CONSTRUCTION** Forms commonly used as a certificate of completion of building work are Schedule 6 of NZS 3910:2013 or Schedules E1/E2 of NZIA's SCC 2011<sup>2</sup>

**PS4 CONSTRUCTION REVIEW** Intended for use by a suitably qualified independent engineering construction monitoring professional who either undertakes or supervises construction monitoring of the building works where the BCA requests a producer statement prior to issuing a Code Compliance Certificate.

This must be accompanied by a statement of completion of building work (Schedule 6).

The following guidelines are provided by ACE New Zealand and Engineering New Zealand to interpret the Producer Statement.

### Competence of Engineering Professional

This statement is made by an engineering firm that has undertaken a contract of services for the services named, and is signed by a person authorised by that firm to verify the processes within the firm and competence of its personnel.

The person signing the Producer Statement on behalf of the engineering firm will have a professional qualification and proven current competence through registration on a national competence-based register such as a Chartered Professional Engineer (CPEng).

Membership of a professional body, such as Engineering New Zealand provides additional assurance of the designer's standing within the profession. If the engineering firm is a member of ACE New Zealand, this provides additional assurance about the standing of the firm.

Persons or firms meeting these criteria satisfy the term "suitably qualified independent engineering professional".

### Professional Indemnity Insurance

As part of membership requirements, ACE New Zealand requires all member firms to hold Professional Indemnity Insurance to a minimum level.

The PI Insurance minimum stated on the front of this form reflects standard practice for the relationship between the BCA and the engineering firm.

### Professional Services during Construction Phase

There are several levels of service that an engineering firm may provide during the construction phase of a project (CM1-CM5 for engineers<sup>3</sup>). The building Consent Authority is encouraged to require that the service to be provided by the engineering firm is appropriate for the project concerned.

### Requirement to provide Producer Statement PS4

Building Consent Authorities should ensure that the applicant is aware of any requirement for producer statements for the construction phase of building work at the time the building consent is issued as no design professional should be expected to provide a producer statement unless such a requirement forms part of the Design Firm's engagement.

### Refer Also:

- <sup>1</sup> Conditions of Contract for Building & Civil Engineering Construction NZS 3910: 2013
- <sup>2</sup> NZIA Standard Conditions of Contract SCC 2011
- <sup>3</sup> Guideline on the Briefing & Engagement for Consulting Engineering Services (ACE New Zealand/Engineering New Zealand 2004)
- <sup>4</sup> PN01 Guidelines on Producer Statements

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