

State Highway Construction Contract Manual (SM031)

Record of Amendment

24 October 2025

This document is a controlled document is therefore subject to review and amendment from time to time. Amendments will be recorded in this *Record of Amendment*.

All individuals seeking to rely on, or implement, the NZ Transport Agency Waka Kotahi *State Highway Construction Contract Manual (SM031)*, or any other manual referred to in this document, have a duty to ensure that they are familiar with the most recent amendments.

1 Version history

Amendment number	Description of change	Effective date	Updated by
1	Reissue Manual in full Annual update	April 02	I Gray
2	Annual update. Reissue: Manual, Appendix A, B, C, E, Add new appendix G1-3.	March 03	I Gray
3	Interim update. Reissue: Manual, Appendix A3, A4, A5, A6.	August 03	I Gray
4	Annual update. Reissue: Manual, Appendix A,B,C, E, G1 Add new appendix G4,5,6 and H1	March 04	I Gray
5	Annual update. Reissue: Manual, Appendix A,B,C,D, E, H	March 04	I Gray
6	Annual update. Reissue: Manual, Appendix A,B,C,D, E, H	March 06	U Cardiff
7	Annual update. Reissue: Manual, Appendix A,B,C,D, E, H	March 07	U Cardiff
8	Annual update. Reissue: Manual, Appendix A,B,C,D, E, G, H	March 08	U Cardiff

9	Amendment update. Reissue: Manual, Appendix A,B,C,D, E, G, H	August 08	U Cardiff
10	Amendment update. Reissue: Manual, Appendix A,B,C, E, H	March 09	U Cardiff
11	Amendment update. Reissue: Manual, Appendix, new Generic SIA, A (including new A6), B, C, E, H	March 10	E Beatson
12	Amendment update. Reissue: Manual, Appendix A, B, C, D, E including new ECI Proforma Appendix H	March 11	U Cardiff
13	Review. Reissue: Manual, Appendices A, B, D, E, H. Appendices C and G deleted	March 15	P Alkema
14	Review. Reissue: Manual, Appendices A, B, D, E, H.	March 16	P Alkema
15	Review. Reissue: Manual, Appendices A, B, D, E, H.	March 17	P Alkema
16	Amendment update. Reissue: Manual, new Generic ROI, Appendices A, B, E, H	March 20	T Cleary
17	Interim update. Reissue: Manual, Appendices A8, B4, E1, E2, H3	March 21	A Koncsol
18	Amendment update. Reissue: Manual, Generic ROI, Appendices A, B, D, E, H	August 21	A Koncsol
19	Communicable Disease definitions update	March 22	J Keenan
20	Update to NZS3910:2023 standard. Minor editing updates.	June 24	J Kenyon
21	Update to New Zealand Guide to Temporary Traffic Management requirements and	January 25	J Emmerson

insurance deductibles for 2024
– A6, A1, A8

22	Updated to reflect new government requirements, and revised NZTA and industry standards and processes. More minor changes have been made to streamline the set of documents.	1 Oct 2025	B Cuttance
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2 Table of amendment

Note: minor amendments are not always identified. An example of a minor amendment is updating the hyperlinks to external documents referenced in SM031.

All documents

AMENDED to incorporate *NZS 3916:2025 Conditions of contract for building and civil engineering – Design and construct* (which supersedes *NZS 3916:2013*)

AMENDED to incorporate changes to PACE (NZTA supplier performance evaluation framework): a new framework (Z/12) and online tool (iPACE)

AMENDED to replace references *Contractor Health and Safety Expectations: Guidance for Supply Chain Partners* and *Contractor Expectations: Health and Safety Incident Notification, Investigation and Reporting with Health, Safety and Wellbeing – Contractor Expectations* to reflect the new and refined content..

AMENDED to replace language when referring to 'Health and Safety' to 'Health, safety and wellbeing'

AMENDED to replace 'Road Safety Audit' with 'Safe System Audit', and 'Road to Zero' with the 'Safe System approach'

AMENDED to replace the word 'proforma'. In most instances it has been replaced with 'template'.

AMENDED to replace or remove the word 'consultant' where it implies that *Request for tender* documents and draft contracts are always compiled or drafted by a consultant employed by NZTA. This task may be performed by a NZTA employee or a consultant representing NZTA.

AMENDED to replace the text 'Traditional' with 'Construction' when referring to the delivery model

AMENDED to replace reference 'Road Assessment and Maintenance Management (RAMM)' with 'Asset and Work Manager (AWM)'

Introduction		
Section number	Section title	Description of change
Whole document		REMOVED the <i>Record of Amendment</i> from the <i>Introduction</i> and created a separate <i>Record of</i>

	<i>Amendment so that it can be used independently</i>
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Whole document	AMENDED to align content with updates to other SM031 documents and to improve readability
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Registration of Interest (ROI) template		
Section number	Section title	Description of change
Whole document		AMENDED document title from previous <i>Generic registration of interest (ROI)</i>
Whole document		REPLACED with a new form of ROI that includes terms and conditions and a separate ROI Response Form. All relevant details and requirements from the previous template have been incorporated into the replacement template.

ROI Response Form template		
Section number	Section title	Description of change
Whole document		NEW template response form that forms part of the ROI template.

Basis of Payment template		
Section number	Section title	Description of change
Whole document		AMENDED document title from previous <i>A7 Basis of payment (construction contract)</i>
2 C	Guidance notes	AMENDED to combine the previous <i>B5 Basis of Payment (construction contract)</i> with the previous <i>A7 Basis of Payment</i> into a single <i>Basis of Payment</i> that can be used for both the Construction and Design & Construction delivery models.
		ADDED a new requirement to measure and define items in accordance with the Standard Method of Measurement

Delivery models

Construction

Request for Tender (RFT) - Construction template		
Section number	Section title	Description of change
Whole document		AMENDED document title from previous <i>A1 Request for Tender (construction contract) template</i>
1.5.1	NZTA Expectations	AMENDED to reflect the <i>Government Procurement Rules: Responsible expenditure of public funds (5th edition 2025)</i> . The new Rules replace 'Broader outcomes' with 'Economic benefit to New Zealand'. No other changes to SM031 templates are required by the publication of the updated Rules. Detailed policy required to implement the new 'Economic benefit to New Zealand' Rule is being developed.
1.9		AMENDED to align with the use of the Government Electronic Tendering System (GETS) including as the way for tenderers to communicate with NZTA during the tender period
1.28	Optional Evaluation Process and Due Diligence	ADDED new section
		REMOVED Technical Advice Note #21-21 update for tendering to manage cost volatility as it relates to changes made to the RFT template during the Covid pandemic
		AMENDED to ensure that the tender evaluation process (due diligence) allows us to check national security risks.

Construction Contract template		
Section number	Section title	Description of change
Whole document		AMENDED document title from previous <i>A8 Construction contract template</i>
Schedule 1		AMENDED commercial settings relating to liability cap, variation

	processing costs, bonding requirements and retentions
Schedule 2	AMENDED Special Conditions relating to key personnel, insurance requirements and concurrent delay
Schedule 17 – Cost fluctuations	AMENDED to reflect a change from the base date being the date of tenders closed to the calendar quarter of month ending 12 months after the Date of Acceptance of Tender and clarifying that cost fluctuations are only payable on costs incurred from the period commencing 12 months after the Date of Acceptance of Tender.

Project Specifications template		
Section number	Section title	Description of change
Whole document		AMENDED document title from previous <i>A6 Project specifications (construction contract)</i> to <i>Project Specifications</i>
Whole document		ADDED the previous <i>A10 Appendices</i> to the <i>Project specifications</i> so that the <i>A10 Appendices</i> is no longer a separate document, and updated the Appendices
Whole document		AMENDED to align with the updated <i>P45 Heritage specification for land transport infrastructure</i>
Whole document		AMENDED to replace the reference <i>Environment and Social Management Plan (ESMP)</i> with <i>Environment Management Plan (EMP)</i> . To prevent confusion, <i>Earthworks Management Plan</i> is spelled in full.
2.1	Definitions	REMOVED definitions that are no longer used in the document
3.3	Quality Management	AMENDED to align with updated quality standard <i>Z01-E Construction Contract Quality Management Specification</i>
4.1	Contract Programme	AMENDED to reference <i>Z03 Physical Works Schedule Framework and Principal's Minimum Standard Z/44 – Risk Management</i>

5.1.3	Progress Reporting	AMENDED to add health, safety and wellbeing reporting requirements
5.4.1; 12.5	Reporting Deliverables; Updating of Principal's Asset Register	ADDED a requirement to report monthly on changes needed to the Principal's Asset Register
6	Health, Safety and Wellbeing	AMENDED to reflect the new content in <i>Health, Safety and Wellbeing – Contractor Expectations</i>
7	Traffic Management	AMENDED to remove reference to Traffic Control Plans, however the requirement for Traffic Risk Management Plan (site specific risks and their mitigation) remains.
9.7	Sustainability Rating Scheme requirements	AMENDED to align with <i>P49 Sustainability Rating Application During Tender and Delivery of Capital Works Projects</i>
9.8	Resource efficiency and waste management	ADDED 9.8 to align with P48 Specification for Resource Efficiency Policy for Infrastructure Delivery
12.1; 12.2; 12.3	Information and as-built submission and Completion Records	AMENDED to strengthen technical requirements to supply good quality timely handover and as-built data
12.2.2 C	Completion Records	MOVED Material warranties from Construction Report to 12.2.2 C Completion Records as it is part of maintenance information handed over
12.2.2 D	Completion Records	MOVED Maintenance requirements from 12.6.1 C to section 12.2.2 D as it relates to the Asset Owners Manual

Design and Construction

Request for Tender (RFT) – Design and Construction Contract template		
Section number	Section title	Description
Whole document		AMENDED document title from previous B2 Instructions for tendering
1.5.1	NZTA's Expectations	AMENDED to reflect the <i>Government Procurement Rules: Responsible expenditure of public funds (5th edition 2025)</i> . The new Rules replace 'Broader outcomes' with 'Economic benefit to New Zealand'. No other changes to SM031 templates are required by the publication of the updated Rules. Detailed policy required to implement the new 'Economic benefit to New Zealand' Rule is being developed.
Whole document		REPLACED references to "the Principal" to "NZTA" and other minor updates for consistency with the <i>Request for Tender – Construction Contract template</i>
1.34	Optional Evaluation Process and Due Diligence	AMENDED to ensure that the tender evaluation process (due diligence) allows us to check for national security risks.
		ADDED new section

Design and Construction Contract template		
Section number	Section title	Description of change
Whole document		AMENDED document title from previous B4 Conditions of contract
Whole document		REPLACED with a new template to reflect the move to NZS3916:2025. The template is now consistent with the Construction Contract template (other than design related provisions)

Schedule 1	AMENDED commercial settings relating to liability cap, variation processing costs, bonding requirements and retentions
Schedule 2	AMENDED Special Conditions relating to key personnel, insurance requirements and concurrent delay
Schedule 17 – Cost fluctuations	AMENDED to reflect a change from the base date being the date of tenders closed to the calendar quarter of month ending 12 months after the Date of Acceptance of Tender and clarifying that cost fluctuations are only payable on costs incurred from the period commencing 12 months after the Date of Acceptance of Tender.

Principals Requirements template		
Section number	Section title	Description of change
Whole document		AMENDED the document title from previous <i>B3A Principal's requirements</i>
Whole document		ADDED the previous <i>B3B Appendices to principal's requirements</i> so that the <i>B3B Appendices to principal's requirements</i> is no longer a standalone document. and updated the Appendices
Whole document		AMENDMENTS for consistency with the Project Specifications template (where appropriate) including reorganising of sections
Whole document		AMENDED to align with updated temporary traffic management requirements including the introduction of the <i>New Zealand Guide to Temporary Traffic Management</i>
Whole document		REMOVED duplication where covered in Contract or other documents
Whole document		AMENDED to replace the reference <i>Environment and Social Management Plan (ESMP)</i> with <i>Environment Management Plan (EMP)</i> . To prevent confusion,

		<i>Earthworks Management Plan is spelled in full.</i>
1.4	Practical Completion	MOVED from Section 2.3
2.1	Definitions	REMOVED definitions that are no longer used in the document
2.1	Roles and Responsibilities	REMOVED previous section 1.3 Roles and Responsibilities as these are per the Contract
3.2	Contractor's Personnel	ADDED Design Manager role
3.3	Quality Management	Section 3.3 supersedes previous sections 15.6 Quality Management Plan and 15.7 Testing and Inspection
3.3.1	Quality Management	AMENDED to align with updated <u>Z/01 Quality management specification series</u>
3.3.2	Quality Management	ADDED requirement to comply with standard <u>Z/8 Inspection, sampling and testing</u>
4.1	Contract Programme	ADDED requirements to comply with standards <i>Z/03 Physical Works Schedule Framework</i> and <i>Z/44 Risk Management</i>
Table 5.3	Reporting schedule	ADDED the requirement to provide a Monthly Site Safety Report to this
Table 5.4 Section 14.6	Principal's Asset Register Updating	ADDED a requirement to report monthly on changes needed to the Principal's Asset Register
5.4	Road opening	ADDED new section
7	Traffic management	AMENDED - updated to include reference to the Health and Safety at Work Act 2015 and the risk based approach to temporary traffic management.
9.8	Sustainability Rating Scheme	AMENDED to align with <i>P49 Sustainability rating scheme application during tender and delivery of capital works projects</i>
9.9	Resource efficiency and waste management	ADDED 9.8 to align with P48 Specification for Resource Efficiency Policy for Infrastructure Delivery
10.2.1	Minimising travel delay and disruption (Journey Management)	AMENDED part (b) <i>Minimising travel delay and disruption</i> – now consistent with the equivalent

		requirement in the Project Specifications template
11.7	Geotechnical information	ADDED section 11.7 Geotechnical Information – copied from the construction contract RFT template
14.1	Information and as-built submission, handover and Completion Records	ADDED digital technical requirements
14.2	Completion records	AMENDED to reflect updated requirements
14.3	As-built drawings	AMENDED to reflect updated requirements
14.6	Principal's asset register updating	ADDED to reflect updated requirements
14.7	Construction Report	AMENDED to reflect updated requirements

Minor Works

E1 Minor works		
Section number	Section title	Description of change
Whole document		REMOVED as this document now duplicates the Construction Contract

Early Contractor Involvement Agreement

Early Contractor Involvement Agreement		
Section number	Section title	Description of change
Whole document		REPLACED the previous <i>H3 Early Contractor Involvement Conditions of Contract</i> with a new <i>Early Contractor Involvement Agreement</i> that provides for a Preferred Contractor to perform certain services including preparing a pricing proposal
		REMOVED <i>Technical Advice Note #21-21 update for tendering</i> to manage cost volatility as it relates to changes made to the RFT template during the Covid pandemic
		REMOVED <i>H2 Early Contractor Involvement Principal's</i>

Requirements document as this will be prepared by the project team as required

REMOVED H4 Early Contractor Involvement Schedule of Prices as this will be prepared by the project team as required
