

SABFAC Specification for Independent Design Certification

1 General

- 1.1 This document specifies the recommendations for Independent Design Certification for the design of boating facilities and associated works in South Australia.

2 Definitions

- 2.1 **“Principal”** means the entity that enters into a Contract with the Independent Design Certifier to undertake the Independent Design Certification services. This is typically a Council for the purpose of this Specification.
- 2.2 **“Independent Design Certification”** means independent design certification to assure compliance of the design with the stated objectives, the Project requirements, government requirements and statutory requirements.
- 2.3 **“Independent Design Certifier”** means the organisation(s) and the nominated representative(s) who provide Independent Design Certification.
- 2.4 **“Independent Design Review”** means an independent detailed and extensive review / checking of the design inputs, process, documents, drawings, reports, calculation, models and specifications to enable Independent Design Certification of the Design.
- 2.5 **“Independent Design Analysis”** means an independent design analysis, calculations and / or models based on the Designer’s design drawings, reports and specification and extensive review / checking of the design documents to confirm compliance and enable Independent Design Certification of the Design.

3 The Independent Design Certifier

- 3.1 The Independent Design Certifier must be Independent to the Designer’s and / or Contractor’s organisation and / or Principal.
- 3.2 The Independent Design Certifier must not have participated in the preparation of any part of the design of the Works in any manner whatsoever.
- 3.3 Further to Clause 3.1 and 3.2 above, the Independent Design Certifier must warrant that:
- a) As of the Date of its Contract, it has no conflict of interest with the Principal, the Designer or Contractor; and
 - b) If it becomes aware of the existence or possibility of a conflict of interest during the term of its Contract, it will immediately notify the Principal and take such steps to avoid or mitigate the conflict of interest or possible conflict of interest.
- 3.4 The Independent Design Certifier’s personnel must have a sufficient degree of knowledge, skill, expertise and experience to perform its obligations under its Contract; in particular that of design and certification of marine and boating structures and facilities but also other disciplines as required by the contract scope including but not limited to pavements and lighting.
- 3.5 In the event that the Principal is also the Designer, the Principal must make best endeavours to ensure independence of the Independent Design Certification process in line with this specification.

4 General obligations of the Independent Design Certifier

Performance of the Services

- 4.1 In performing the Services, the Independent Design Certifier must:
- a) Act impartially, honestly, diligently and reasonably; and
 - b) Act with the degree of professional, knowledge, skill, expertise, experience and care which would be reasonably expected of an expert professional providing such services; and
 - c) Act independently of the Principal, Designer's and / or Contractor's organisation and any of their subcontractors or consultants; and
 - d) Provide transparency in the process of Independent Design Certification to the Principal, Designer and / or Contractor.

Personnel

- 4.2 The Independent Design Certifier must ensure that the persons undertaking the Certification meet the requirements as in Clause 3.4 above.
- 4.3 Key Independent Design Certifier personnel must not be removed without the prior written consent of the Principal (which consent must not be unreasonably withheld) and if any of the people are removed:
- a) They must be replaced by people of at least equivalent qualifications, knowledge, skill, expertise and experience; and
 - b) Prior to removal and replacement, there must be a proper and adequate handover to ensure that the new personnel have a reasonable understanding of the Project and the services.
- 4.4 The Principal may direct the Independent Design Certifier to remove personnel from the performance of the Services. The Independent Design Certifier must comply with any such direction.

Other

- 4.5 The Independent Design Certifier shall not subcontract the performance of any of the Services without the prior written consent of the Principal.
- 4.6 All correspondence between the Designer and / or Contractor and Independent Design Certifier must be in writing and copied to the Principal for their information.

5 Process and scope of Independent Design Certification

Review and management of project requirements

- 5.1 The Independent Design Certifier must review, identify and record the Project Requirements, and statutory requirements to ensure they are achieved, including (but not limited to):
- a) Safety in design requirements;
 - b) Maintenance in design requirements;
 - c) Constructability of the design including temporary loading; and
 - d) Whole of life considerations.
- 5.2 Within the Independent Design Certification process the Independent Design Certifier must verify and review the Design's compliance to the requirements and trace and verify the Design's compliance to the requirements. This shall be documented in the Independent Design Certification Report.

Technical and design meetings

- 5.3 The Independent Design Certifier must attend and independently participate in all technical design review meetings or workshops, unless directed otherwise by the Principal.
- 5.4 The Independent Design Certifier must present issues identified through the design lifecycle and the outcomes of their work completed at these meetings.

Independent Design Review of design documents

- 5.5 The selection of the scope of the Independent Design Certifier activities is to be determined on a risk based approach to ensure the extent and level of Independent Design Certification activities are commensurate with risk of non-compliance of the design documents and the resulting risk of non-compliance is mitigated “so far as reasonably practical”.
- 5.6 The Independent Design Certifier must complete an Independent Design Review of the Design documents of an extent and level of detail commensurate with the risks.
- 5.7 The Independent Design Certifier must identify issues (or potential issues) with the design based on:
 - a) Compliance to the Project Requirements;
 - b) Its knowledge, skill, expertise and experience; and
 - c) Relevant state and national standards.
- 5.8 Where the Independent Design Certifier identifies a potential non-compliance, it must notify the Principal.
- 5.9 The Independent Design Certifier’s identified issues and comments, and the Designer’s responses, shall be documented in the Independent Design Certification Report.

6 Independent Design Certification Report

- 6.1 The Independent Design Certifier must prepare a report of the outcome of the Independent Design Certification process.
- 6.2 The Independent Design Certification Report shall be submitted at the completion of the Issued for Construction (IFC) design review.
- 6.3 Independent Design Certification Report(s) must include as a minimum:
 - a) Independent Design Certificate (Attachment 1);
 - b) Details of the extent of services completed;
 - c) Issues and comments identified and resolved during the Independent Design Certification process; and
 - d) Reporting on compliance of the design to the requirements.

7 Independent Design Certificate

- 7.1 The Independent Design Certifier shall provide an Independent Design Certificate with the Independent design Report to confirm the Independent Design Certification services have been completed and have met the requirements of this Specification.
- 7.2 Independent Design Certificate must be in accordance with the form included as an Attachment to this Specification. The Certificate must not be qualified in any way that could lessen the effect of the certificate without the written acceptance of the Principal.

- 7.3 Where the Independent Design Certifier identifies an issue that will limit providing an Independent Design Certificate or will require a condition to the Certificate, the Independent Design Certifier shall immediately raise the issue or condition to the Principal's attention for clarification.

8 Amendments to the IFC Design

- 8.1 Any proposed change to the Design documents after the issue of the IFC design document must be reviewed by the Principal to determine if the proposed change could potentially have an impact on the nature of the design and warrants a review by the Independent Design Certifier.
- 8.2 Where the Principal determines the proposed change warrants a review by the Independent Design Certifier, the proposed design change may be referred to the Independent Design Certifier for review and written confirmation that the Independent Design Certificate remains valid.
- 8.3 Where the Independent Design Certifier advises the amendment to the design has the potential to lessen the validity of the Independent Design Certificate, the Independent Design Certifier must undertake further review to confirm the design complies with the Project Requirements and issue and amended Independent Design Certification Certificate.

Attachment 1. – Independent Design Certificate

Project:	
Design Certifier:	
Certificate Number:	
Design Package:	

Independent Design Certification has been undertaken on the design documents listed below. In undertaking the Independent Design Certification review I certify in my professional assessment:

- a) Independent Design Certification Services (detailed review, analysis, calculations and / or modelling) as defined in the Independent Design Certifier's Scope has been completed;
- b) The drawings, reports and specifications have been checked and accurately describe the Works;
- c) The design documents comply with the Principals' or legislative requirements.

Design Documents:

Document No.	Rev	Document Title

Conditions of Certification:*

* note: written approval from the Principal's Representative of any conditions to certification must be submitted with the Certificate

Independent Design Certifier Representative (NER, CPEng, etc)

Name:		Qualifications	
Position:		Signed:	
Date:			