

Agreement for the performance of certification work

Agreement between

ALMA Engineers trading as ALMA Building Approvals (**the Certifier**)

and

.....(**the Client**)

Part A. Introduction

1. The Certifier is an accredited certifier and is authorised to carry out the certification work which is the subject of this Agreement.
2. The Client seeks to engage the Certifier to perform certification work on the terms set out in this Agreement.

Part B. Interpretation

Words and terms used in this Agreement are defined in the Dictionary (page 5).

Part C. Parties to the agreement

1. The Certifier

Name of Certifier: <input type="text" value="Akram Jawabreh"/>	Accreditation number: <input type="text" value="BPB1440"/>	Trading name (if applicable) <input type="text" value="ALMA Building Approvals"/>
Business address: <input type="text" value="Suite 12, 209 Macquarie St
Liverpool NSW 2170"/>		Postal address: <input type="text" value="PO Box 320, Liverpool NSW 1871"/>
Telephone: <input type="text" value="02 9601 7127"/>	Mobile: <input type="text" value="0414 928 488"/>	Email: <input type="text" value="admin@almabuildingapprovals.com.au"/>

2. The Client

Name of Client: <input type="text"/>		
Address: <input type="text"/>		Postal address: <input type="text"/>
Telephone: <input type="text"/>	Mobile: <input type="text"/>	Email: <input type="text"/>

Part D. Certifier's insurance details

(Insurance required to be held under Division 2, Part 6 of the BP Act)

Name of insurer: <input type="text" value="Prime Underwriting Agencies Limited"/>	Address: <input type="text" value="Suite 12, 209 Macquarie St, Liverpool
NSW 2170"/>
Policy no/identifier: <input type="text" value="PPRIM16031"/>	Period of insurance cover: <input type="text" value="From: 01/02/2016 To: 01/02/2017"/>

Part E: The development

Description of development: (eg: single storey dwelling) <div></div>	Address of development: <div></div>	
Formal particulars of the title of the development site: <div></div>		
Development consent details (tick appropriate box/s and complete as applicable):		
<input type="checkbox"/> Development consent granted by consent authority Name of consent authority <div></div> Development consent no./identifier: <div></div> Date of development consent: <div></div>	<input type="checkbox"/> Development consent given by the issue of a complying development certificate (CDC) Name of certifying authority <div></div> CDC no./identifier: <div></div> Date of CDC: <div></div>	<input type="checkbox"/> Part 4A certificates issued Type of Part 4A certificate issued: <div></div> Name of certifying authority: <div></div> Certificate no./identifier: <div></div> Date of certificate: <div></div>
Details of approved documents		
Details of plans, specifications and other documents approved by the development consent/CDC: <div></div>	Details of plans, specifications and other documents the subject of any Part 4A certificate: <div></div>	

Inspections (complete as appropriate)

Any inspections of the development site or the development required under the EP&A Act or the EP&A Regulation will be carried out as follows:

☐ Inspections by the Certifier:

☐ All

☐ None

☐ Specific inspections (list):

☐ Inspections by*:

Accreditation no*:

☐ All

☐ None

☐ Specific inspections (list):

*These are details of the person that the Certifier proposes, at the date of the Agreement, to have perform the inspections. In the event that these proposed arrangements change, the Certifier will inform the Client in writing of the details of the person who will be carrying out the inspections as soon as possible after arrangements are made.

Part F. Certification work to be performed

(Tick one or more boxes as appropriate)

1. Determination of Applications for Development Certificates

- ☐ Determination of application for a CDC*
- ☐ Determination of application for a construction certificate*
- ☐ Determination of application for a subdivision certificate*
- ☐ Determination of application for a compliance certificate*
- ☐ Determination of application for an occupation certificate*
- ☐ Determination of an application for a strata certificate*

2. Undertaking the functions of Principal Certifying Authority (PCA)

- ☐ Undertake the functions of PCA for the development*

* Refer to the relevant Attachment(s) which contain a **Description of Services** and the relevant **Fees and Charges**.

Part G. Fees and charges

1. Development certificates

(a) Set fees and charges

- i. The fees and charges for the determination of an application for a development certificate are set out in the relevant Attachment(s).
- ii. The set fees and charges for the determination of a development certificate must be paid to the Certifier before, or at the time, an application for the development certificate is lodged with the Certifier.

(b) Contingency fees and charges

- i. In the case of fees and charges that may be payable for work arising from unforeseen contingencies, the basis on which those fees and charges are to be calculated are set out in the relevant Attachment.
- ii. In respect of any unforeseen contingency work provided for under this Agreement, the Certifier is to send an invoice to the Client within 21 days after the completion of any such work.

2. PCA functions

(a) Set fees and charges

- i. The fees and charges for the Certifier to carry out the functions as the PCA for the development are set out in the relevant Attachment(s).
- ii. The set fees and charges for the carrying out of the functions as the PCA for the development are to be paid in full before the Certifier commences to carry out any of those functions.

(b) Contingency fees and charges

- i. In the case of fees and charges that may be payable for work arising from unforeseen contingencies, the basis on which those fees and charges are to be calculated are set out in the relevant Attachment.
- ii. In respect of any unforeseen contingency work provided for under this Agreement, the Certifier is to send an invoice to the Client within 21 days after the completion of any such work.

Part I. Statutory obligations (tick appropriate box)

An information brochure which is to include information about statutory obligations must accompany this Agreement, if one is published by the Building Professionals Board on its website. The Board is the statutory body that accredits the Certifier and administers the *Building Professionals Act 2005*.

- ☐ A copy of the Board's Information Brochure is attached
- ☐ The Board has not published a brochure as at the date of the Agreement

Part J. Date of agreement

This Agreement is made on theday of20

Part K. Signatures

.....
Signature of Certifier

.....
Signed/executed by or on behalf of the Client

Dictionary

Accredited certifier means the holder of a certificate of accreditation as an accredited certifier under the *BP Act*

Applicable environmental planning instrument means the State Environmental Planning Policy or the Local Environmental Plan nominated by the Client as the instrument against which an application for a complying development certificate is to be assessed.

BASIX means the Building Sustainability Index

BCA means the Building Code of Australia.

BP Act means the *Building Professionals Act 2005*

Certification work means:

- a) the determining of an application for a development certificate
- b) the issue of a development certificate
- c) carrying out the functions of a PCA
- d) carrying out of inspections for the purposes of section 109E(3)(d) of the EP&A Act
- e) carrying out inspections under section 22 *Swimming Pools Act 1992* and issuing certificates of compliance under that Act

Contractor licence means a licence issued under the *Home Building Act 1989*

Development certificate means:

- a) a certificate under Part 4A of the EP&A Act, being:
 - a construction certificate
 - a compliance certificate
 - a sub-division certificate
 - an occupation certificate
- b) a complying development certificate
- c) a strata certificate issued under the *Strata Schemes (Freehold Development) Act 1973* or the *Strata Schemes (Leasehold Development) Act 1986*

EP&A Act means the *Environmental Planning and Assessment Act 1979*

EP&A Regulation means the Environmental Planning and Regulation 2000

Owner-builder permit has the meaning given to it by the *Home Building Act 1989*

PCA means a principal certifying authority appointed under section 109E of the EP&A Act

Residential building work has the meaning given to it by the *Home Building Act 1989*