



UCTS
UNIVERSITY COLLEGE OF
TECHNOLOGY SARAWAK
U.C.T.2022(2)

Organiser:

Centre for Continuing Education and Professional Development (CePD)

In collaboration with

Department of Quantity Surveying, School of Built Environment (SBE)

University College of Technology Sarawak (UCTS)

One – Day Seminar on Construction Contract Administration

Date **1st November 2017 (Wednesday)**
Time **08.00 am – 5.30 pm**
Venue **LTA, University College of Technology Sarawak (UCTS)**
Closing Date **27th October 2017**
(early birds registration before / 3rd October 2017)
(We seek your kind cooperation to observe the closing date of this event)

Registration Fee:

RM550 / per person

RM500 / early birds (*Registration
before/3rd Oct 2017*)

RM500 / per person (for IEM members)

BEM Approved CPD/PDP Hours = 5.5

Reference No: IEM17/SWAK/298/S

PSMB Approved Training Provider (Registration No.969673X)

Claimable under HRDF SBL Scheme

(Amount Claimable Subjected to HRDF Approval)

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Background

The first session provides insights and practical guidance on the Superintendent Officer's role as a contract administrator in two main aspects during the contract implementation stage of a construction project. The SO's supervision and certification duties are defined by the provisions in the PWD 203, both as the employer's agent and contract administrator. The latter role imposes on the SO an obligation, not only to make professional judgement, but also a duty to act fairly between the contracting parties.

The second session focuses on how CIPAA 2012 affects the industry players. It is important that the contracting parties should be aware of their payment obligations under the contracts. They may be subjected to statutory adjudication if they fail to make timely payment for completed work. The right for adjudication is provided under the Act which, among other things, prohibits conditional payment and provides remedies for the payment recovery.

Objectives

By the end of the seminar, participants should be able to;

1. Have a better understanding of the workings of the PWD203 (rev.1/2010) especially with examples of past projects;
2. Be aware of the reach and effects of CIPAA2012 especially what should be done to prevent any effects and what to do if it is affecting any party to a construction contract

Course Outline

The course is divided into 4 units

1 – Setting the groundwork for contract administration and the supervision and certification duties of the SO

- Duties and Right to take action
- S.O's instruction
- Contract documents
- Contractor's obligations and programme of work
- Performance bond/Performance guarantee sum
- Insurances and SOSCO
- Setting out, unfixed materials and goods
- Compliance with the law
- Design
- Employment of workmen
- Variation and valuation of variations
- Provisional quantities and measurement of works
- Payment to contractor and adjustment of contract sum
- Fluctuation of price
- Final account and payment certificate
- Effect of S.O's certificates
- Deduction from money due to contract
- Prime cost/provisional sum
- Materials, goods and workmanship

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- Inspection and testing of materials, goods and equipment
- Constructional plant, equipment, vehicles and machineries

2 – Setting the groundwork for contract administration and the supervision and certification duties of the SO

- Possession of site and completion of work
- Damages for non-completion
- Sectional completion and partial occupation
- Delay and EOT
- Claims for loss and expenses
- Investigation by Government, etc
- Access for works, etc
- Sub-contract or assignment
- Defects after completion
- Unfulfilled obligations
- Suspension of works
- Events of default
- Termination on national interest, corruption, unlawful or illegal activities
- Payment upon suspension and termination on National interest
- Events and consequences of default by Government
- Surviving rights
- Force Majeure
- Site agents
- NSC/NSu and payment etc
- Arbitration
- Notice and safety
- Advance payment
- Other General Clauses
- Imported materials

3 - How CIPAA 2012 affects the parties to a construction contract?

- Primary objective
- Types of issues to be referred
- Adjudication cases in Singapore since 2005
- The CIPAA Regulations
- The CIPAA Exemption order
- The KLRCA Circulars
- Adjudication as a mean of dispute resolution
- Nature of decision
- Scope of adjudication

4 - How CIPAA 2012 affects the parties to a construction contract?

- Main steps in an adjudication
- Process and time overview
- What happens during an adjudication?
- What does natural justice here involve?
- Remedies if payment not made after adjudication
- Grounds of setting aside adjudication's decision

- Who pays for the adjudication?
- How to prepare for CIPAA?

Programme and Trainer Details

- **Training Title:** One-Day Seminar on Construction Contract Administration
- **Date:** 1st November 2017 (Wednesday)
- **Time:** 8.00am – 5.30pm
- **Venue:** LTA, University College of Technology Sarawak (UCTS)
- **Training Fee:** RM550.00 per participant (RM500 / early birds)
RM500.00 (Including 6% GST for IEM members)

About the Trainer

Sr. Kii Ing Ching is currently re-engaged to be part of the Pan Borneo Highway Unit in JKR Sarawak Headquarters, having retired from his previous position as the head, called as Assistant Director, of the Contract Services and Legal Branch in JKR Sarawak Headquarters.



The work of the Branch generally was, a referral centre for any contractual issues the Department may face; to suggest solutions thereto; to verify and recommend on contractual and extra-contractual claims; and to participate as well as co-ordinate information and people flow in dispute resolution, be it in mediations, arbitrations or court cases. The other major work of the Branch was being the Secretariat of the EOT/VO/Claims Committee of the Department.

Before retirement, Sr Kii had over 34 years of working experience in JKR within the length and breadth of Sarawak. He was also a part-time lecturer for the Bachelor of Quantity Surveying (Honours) programme in UCTS. Along the way, he has been accredited with membership in the Board of Quantity Surveyors Malaysia, Royal Institution of Surveyors Malaysia, Royal Institution of Chartered Surveyors, U.K., and Chartered Institute of Arbitrators, U.K as well as a RICS accredited mediator. Sr Kii graduated with a BSc (Hons) Quantity Surveying from University of Reading in 1978, and received an MBA in 2003, as well as B. Jurisprudence (External) from Universiti Malaya in 2013. He also had been honoured with Pingat Perkhidmatan Setia and Pingkat Perkhidmatan Bakti by the State Government of Sarawak.

Course Schedule

8:30 AM	Registration
9:00 AM	Setting the groundwork for contract administration and the supervision and certification duties of the SO under PWD203 (rev1/2010)
10:30 AM	Tea Break
11:00 AM	Supervision and Certification duties of the SO (cont'd)
12.30 PM	Lunch
2:00 PM	How CIPAA 2012 affects the parties to a construction contract?
3:30 PM	Tea Break
4:00 PM	CIPAA 2012...(cont'd) and Q&A
5:00 PM	End



REGISTRATION FORM

One-Day Seminar on Construction Contract Administration

- The supervision and certification duties and responsibilities of the Superintending Officer under PWD 203 (rev.1/2010)
- How does CIPAA 2012 work and affect you?

Date: 1 November 2017 (Wednesday)

Time: 9:00 am – 5:00 pm (Registration starts at 8:30 am)

Venue: University College of Technology Sarawak, Sibu

Enquiries: Please contact Sr Wong at 084 367454 or Sr Nadzirah at 084 367451

Seminar Fee:

- *RM550 (including 6% GST)*
- **Early Bird Fee:** RM500 (payment by 3 October 2017)
- **IEM members:** RM500 (including 6% GST)

Participant information

Name (as appear on Certificate of Attendance): _____

Professional institution (if any): _____ Membership no (if any): _____

Designation: _____ Organisation: _____

Correspondence address: _____

Tel: _____ Mobile: _____ Email address: _____

Registration & Payment

By Cheque:

Please mail the crossed cheque made payable to “**Edusar Resources Sdn Bhd**” and attach along with the completed registration form to Sr Wong at School of Built Environment, University College of Technology Sarawak, No. 868, Persiaran Brooke, 96000 Sibu, Sarawak, Malaysia

By Bank Deposit:

Please deposit to the following bank account and email the deposit slip together with the completed registration form to wongchiinguong@ucts.edu.my

Payee: Edusar Resources Sdn Bhd

A/C No: 3986 851 1823

Bank: Public Bank Berhad

Address: 2, Lorong Pahlawan 7B1, Jaya Li Hua Commerical Center 96000 Sibu, Sarawak

Remarks:

- The organiser reserves the right to cancel or reschedule the event due to unforeseen circumstances
- You will only receive an e-mail notification from UCTS confirming your registration status. You are advised to email (wongchiinguong@ucts.edu.my) to confirm your registration status if you have not received an e-mail confirmation prior to the event
- No refund can be made for cancellation or “no show” but a substitute participant is permitted. Please inform UCTS at least one day prior to the event
- Seats will only be confirmed upon receipt of completed registration form together with payment
- The receipt and attendance certificate can be collected at the registration counter at the end of the event.
- IEM members are required to produce membership cards for confirmation of attendance (CPD purpose). IEM members who fail to produce their membership cards will be charged a fee of RM550.00

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