STUDY ON THE DETERMINATION OF NOMINATED SUBCONTRACTOR

MOHD IZWAN SHAH BIN FADZIL
2000327218
BACHELOR IN BUILDING SURVEYING (HONOURS)

APRIL 2003
ABSTRACTS

In a construction industry there are various problems that may arise. Due to this findings, two important document was introduced namely PAM 98 and PWD 203, where it gives a guide to how contract works are done and carried out and to ensure all parties benefit the same.

A study was made on this topic and the findings were, with the introduction of both form has benefited both parties namely the main contractor and the nominated subcontractor. If this is not taken into account project may be delayed and this will require extra expanses with this finding even if there is a dispute between the main contractor and subcontractor. It can be resolved due to these clauses in the contract document and with this finding all parties would be very careful in making any mistake during construction works.

The findings also indicates that main contractor has the right to terminate any subcontractor due to default of any manner. The findings also indicates that the subcontractor is also able to demand extra payment if the works does not follow the existing contract. Overall these findings have made all parties to bided to the contract document and with great caution.
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>ABSTRACT</td>
<td>i</td>
</tr>
<tr>
<td>ACKNOWLEDGEMENT</td>
<td>ii</td>
</tr>
<tr>
<td>LIST OF FIGURE</td>
<td>iii</td>
</tr>
<tr>
<td>LIST OF TABLE</td>
<td>iv</td>
</tr>
<tr>
<td>LIST OF CHARTS</td>
<td>v - vi</td>
</tr>
</tbody>
</table>

## CHAPTER 1 – INTRODUCTION

1.0 INTRODUCTION 1

1.1 PREFACE 1-3

1.2 OBJECTIVES OF STUDY 3-4

1.3 SCOPE OF STUDY 4

1.4 STATEMENT OF ISSUE 5

1.5 METHODOLOGY OF STUDY 5

1.5.1 Collection Of Data 6

1.5.2 Writing and Analyzing Stage 7

1.5.3 Conclusions and Recommendations 7

1.6 ARRANGEMENT OF CHAPTER 9-11
CHAPTER 2 - IMPROPER BUSINESS PRACTICES AND PERSONAL

2.0 SCOPE OF PART

2.1 STANDARDS OF CONDUCT

2.1.1 General

2.1.2 Solicitation And Acceptance Of Gratuities By Government Personnel

2.1.3 Agency Regulations.

2.1.4 Solicitation Provision.

2.1.5 Evaluating The Certification

2.1.6 The Need For Further Certifications

2.1.7 Disclosure, Protection, And Marking Of Contractor Bid Or Proposal Information And Source Selection Information

2.1.8 Contract Clauses

2.2 CONTRACTOR GRATUITIES TO GOVERNMENT PERSONNEL

2.2.1 Applicability

2.2.2 Contract Clause

2.2.3 Reporting Suspected Violations Of The Gratuities Clause

2.2.4 Treatment Of Violations

2.3 CONTINGENT FEES

2.3.1 Scope

2.3.2 Definitions

2.3.3 Statutory Requirements

2.3.4 Applicability

2.3.5 Contract Clause
CHAPTER 3 – DETERMINATION OF NOMINATED SUBCONTRACTOR

3.1 RESPONSIBLE PROSPECTIVE CONTRACTORS

3.1.1 Scope 28
3.1.1(a) Definitions 29
3.1.2 Applicability 29
3.1.3 Policy 30
3.1.4 Standards
3.1.4(a) General Standards 31-32
3.1.4(b) Special Standards 32
3.1.4(c) Application Of Standards 33-34
3.1.4(d) Subcontractor Responsibility 34
3.1.4(e) Procedures
3.1.4(e)(i) Obtaining Information 35-37
3.1.4(e)(ii) Determinations And Documentation 38
3.1.4(e)(iii) Disclosure Of Pre Award Information 39
3.1.4(f) Pre Award Surveys
3.1.4(f)(a) Conditions For Pre Award Surveys 40
3.1.4(f)(b) Requests For Pre Award Surveys 41
3.1.4(f)(c) Interagency Pre Award Surveys 42
3.1.4(f)(d) Reports 42-43

3.2 CONTRACTOR RECORDS

3.2.1 Scope 43
3.2.2 Purpose 43
3.2.3 Applicability 44