# CENTRE OF STUDIES FOR BUILDING SURVEYING FACULTY OF ARCHITECTURE, PLANNING AND SURVEYING UNIVERSITI TEKNOLOGI MARA

## THE OBLIGATION OF CONTRACTOR DURING DEFECT LIABILITY PERIOD

## MUHAMAD HAFIZ BIN AHMAD AZHAR

Academic Project submitted in partial fulfilment of the requirements for the degree of
Bachelor of Building Surveying (Hons)
Centre of Studies for Building Surveying
Faculty of Architecture, Planning & Surveying

## **Table of Contents**

ABSTRACT	
ACKNOWLEDGEMENT	3
CHAPTER 1	
1.0 General Information	4
1.2 Problems Statement	5
1.3 Aim of Study	6
1.4 Objective of Study	6
1.5 Scope of Study	6
1.6 Methodology of Study	6
1.7 Research overview	8
CHAPTER 2	10
2.0 Introduction	10
2.1 Classification of Contractor	11
2.2 Preparing to start the contract	13
2.3 Conditions of contract	15
2.3.1 Managing time	16
2.3.1.1 Programmed	16
2.3.1.2 Extensions of time	17
2.3.1.3 Completion	17
2.3.1.4 Early completion	18
2.3.1.5 Penalties for late completion	18
2.3.1.6 Changes to the prices for the works	18
2.4 The General Information of Defect Liability Period	19
2.4.1 Introduction	19
2.4.2 Types of Defect	19
2.4.2.1 Erosion of Mortar Joints	19
2.4.2.2 Peeling Paint	20
2.4.2.3 Cracking of Walls /Leaning Walls	20
2.4.2.4 Unstable Foundations	20
2.4.2.5 Roof Defects	20
2.4.2.6 Honevcomb.	20

2.4.2.7 Dampness	21
2.4.3 Purpose of a Defects Liability Period	21
2.4.3.1 Element of a Defect Liability Clause	22
2.4.4 Length of the Defect Liability	22
2.4.5 Contractor's Right to Remedy Works and Notification	23
2.4.6 Process of Defect Liability Period	24
2.4.6.1 Defect Work	24
2.4.6.2 Maintenance Work and Service	24
2.4.6.3Closing of Account Contract	25
2.4.7 Case Of Defect Liability Period	29
CHAPTER 3	31
3.1 Introduction	31
3.2 Process of Methodology Studies	31
3.2.1 Highlight Issues	31
3.2.2 Problem Identification	32
3.2.3 Objective and Scope of Studies	32
3.2.4 Data Collection	32
3.2.5 Literature Review	33
3.2.6 Case Study	33
3.2.7 Data Analysis	33
3.2.8 Conclusion and Recommendation	33
3.3 Sequence of Methodology Process	34
CHAPTER 4	35
4.1 Introduction	35
4.2 Case Study Information	36
4.2.1 Case Study 1	36
4.2.2 Case Study 2	38
4.4.3 Case Study 3	40
CHAPTER 5	42
5.1 Introductions	42
5.2 Total and Types of Respondents	42
5.3 General Information about Respondents	43
5.4 The Duties and Obligation of Contractor during Defect Liability Period As Stated In Contract	45

## **ABSTRACT**

This dissertation contains six chapter that explain about the obligation of contractor during defect liability period. Chapter 1 are compilation of general information about my study. This chapter presents the overall content of the whole project writing. It introduces the subject matter, the problems that are purported to solve. The objective is specified with an appropriate research method to achieve them .Chapter 2 are compilation of literature review. This chapter with the overview the common roles of contractor, preparing to start the contract and classification of contractor. In addition, this chapter also tell about the general information of defect liability period, process of defect liability period, case of defect liability period in Malaysia, and term and condition of defect liability period.

Chapter 3 are compilation of research methodology. This chapter reviews on how to get information or data about flow of defect liability period process, collecting issue about contractor in defect liability period in Pahang, and find the buyers who get cheated by contractor. In chapter 4 are compilation of case study. This chapter show where the case study held which is Pahang Darul Makmur. In addition this chapter also to show the real issue that happen in Temerloh. The reason getting the real issue in Temerloh Pahang because this area have many buyers that have no knowledge about their right in defect liability period.

Chapter 5 are compilation of analysis data that have been collected using questionnaires. This chapter presents the collecting data that collected in Temerloh. Graph and table will use to show the data with detailing information. The data will be analyze based on the collecting data. Lastly is chapter 6 that contains of conclusion and recommendation. This chapter show the several recommendation to this research such as the right of buyers and contractor during defect liability period, monitor the contractor work during construction until defect liability period and show benefit of defect liability period.

i

#### THE OBLIGATION OF CONTRACTOR DURING DEFECT LIABILITY PERIOD

### **ACKNOWLEDGEMENT**

My appreciation to my lecturer, Encik Mahayudin Bin Mahmood for his help and supports. Also a special thanks to my parents that have taken good care for me and guide me until adults. Those who involved either directly or indirectly to help this project complete, thanks a lot and may God bless all our days.

The research has been done at Temerloh, Pahang Darul Makmur as my case study. At first, I have to study about the obligation of contractor that involve in Defect Liability Period process. Maybe, there is no problem along in my research to finish the project but at the last minute, I got a little problem that need to settle up and Alhamdulillah, I have done my best and this is my report for course Academic Project II (BSS 658).

Maybe I still have done some weakness in this assignment because I am not totally perfect but I have tried my best and give a lot of commitment in this course. I hope that this research will help me to improve my knowledge as future building surveyor. Once again, a lot of appreciation to all who are involve in this case. The best is from God, the weakness is from me. Thank you.