



**UNIVERSITI TEKNOLOGI MARA**

**BCM643: CONTRACT MANAGEMENT**

<b>Course Name (English)</b>	CONTRACT MANAGEMENT <b>APPROVED</b>
<b>Course Code</b>	BCM643
<b>MQF Credit</b>	3
<b>Course Description</b>	Contract administration and management has become increasingly important in the implementation of construction projects. Builders need to have a sound knowledge in administering and managing projects. The objective of this course is to introduce to students the legal aspect of managing construction projects especially those areas regarding rights and obligations of contracting parties.
<b>Transferable Skills</b>	Contract Managerial skill Planning skill Ethics and moral professionalism skill Problem-solving skill
<b>Teaching Methodologies</b>	Lectures, Blended Learning, Tutorial
<b>CLO</b>	CLO1 Assess various clauses and related contractual issues under standard forms of contracts commonly used in Malaysia CLO2 Comprehend various issues in relation to claims, completion and conclusion of construction contract including dispute resolution CLO3 Defend rights of construction parties on contract related issues.
<b>Pre-Requisite Courses</b>	No course recommendations
<b>Topics</b>	
<b>1. Forms of Construction contract</b> 1.1) Introduction to syllabus 1.2) Procurement systems 1.3) Stages of Contract Administration 1.4) The important of Standard form of Contract	
<b>2. Parties in Construction Contract</b> 2.1) Architect and the Building Contracts 2.2) The roles, obligations, and liability of the Architects 2.3) Architect's basic functions under the Contract 2.4) The role of Contract Administrator 2.5) Contractors and Legal background to Standard Form of Contract 2.6) Contractor's Obligations 2.7) Privity of contract. 2.8) Implied terms / warranty in construction contracts. 2.9) Relevant Acts. 2.10) Dual liability.	
<b>3. Bond and Insurances.</b> 3.1) Performance Bond or Guarantee Sum 3.2) Insurances under Standard form of Contracts	
<b>4. Practical completion (PC) and Variation Orders (VO)</b> 4.1) The criteria for Practical Completion 4.2) The Consequences after PC 4.3) Rules for valuing Variations	

**5. Payments and Certificates**

- 5.1) Certificates under standard form of Contracts
- 5.2) Payments under PAM 2006 and PWD 2010 Contract
- 5.3) Highlights of Differences in Payment Provision Between PAM & PWD Form of Contracts
- 5.4) The issues of Payments

**6. Claims for time & Money**

- 6.1) Contract Prolongation / EOT.
- 6.2) Time at large
- 6.3) Extension of Time (EOT) and the relevant events
- 6.4) Liquidated Damages
- 6.5) Claims for Loss and Expense.
- 6.6) Construction contract claims
- 6.7) Direct loss and/or expenses
- 6.8) Extensions of time and money claims relationship

**7. Termination / Determination and conclusion of contract**

- 7.1) The rights for determination for the Contractor and Employer under major standard forms of construction contracts [express] and the common law [implied].
- 7.2) Determination by the Employer
- 7.3) Determination of contractor's own employment
- 7.4) Final Account following termination
- 7.5) Conclusion of contract
- 7.6) Management of Defects
- 7.7) Final Account and Final Certificate

**8. Dispute Resolution / Arbitration**

- 8.1) Methods of dispute resolution
- 8.2) Disputes in construction contracts
- 8.3) Alternative dispute resolution
- 8.4) Settlement of disputes
- 8.5) International Forms of Contract and CIPAA
- 8.6) Construction Industry, Payment and Adjudication Act (CIPAA)

Assessment Breakdown	%
Continuous Assessment	40.00%
Final Assessment	60.00%

Details of Continuous Assessment	Assessment Type	Assessment Description	% of Total Mark	CLO
	Assignment	Part A (Assessing various clauses in SFOC commonly used in Malaysia)	10%	CLO1
	Online Quiz	Part B	15%	CLO2
	Presentation	Part A (Role playing presentation to assess student's ethics and professionalism)	5%	CLO3
	Test	Part B	10%	CLO2

Reading List	Recommended Text	<ul style="list-style-type: none"> <li>• Harbans Singh KS 2005, <i>Engineering and Construction contracts Management – Law and Principles</i>, Lexis Nexis</li> <li>• Sundra Rajoo, Dato WSW Davidson, Ir Harband Singh KS 2010, <i>The PAM 2006 Standard Form of Building Contract</i>, Lexis Nexis Kuala Lumpur, Malaysia</li> <li>• Tan Pei Ing, Low Khian Seng, Jerry Sum Phoon Mun, Chee Soo Teng 2010, <i>Handbook for PAM Contract 2006</i>, First Edition Ed., Pertubuhan Arkitek Malaysia (PAM) Kuala Lumpur, Malaysia</li> </ul>
	Reference Book Resources	<ul style="list-style-type: none"> <li>• Nor Ainah Abdullah 2001, <i>Pengenalan Kepada kontrak Binaan</i>, UPENA UiTM</li> <li>• John Murdoch and Will Hughes 2015, <i>Construction Contracts Law and Management</i>, 5th Edition Ed., Taylor and Francis.</li> <li>• Pertubuhan Arkitek Malaysia (PAM), <i>PAM 2006 Standard Form of Construction Contract</i>, Pertubuhan Arkitek Malaysia (PAM)</li> <li>• Jabatan Kerja Raya (JKR), <i>PWD/JKR, 2010, 'PWD 2010 Standard Form of Contract (With Quantities)'</i>; JABATAN KERJA RAYA (JKR)</li> </ul>
Article/Paper List	Reference Article/Paper Resources	<ul style="list-style-type: none"> <li>• Aftab Hameed Memon, Ismail Abdul Rahman, Ade Asmi Abdul Azis 2012, Time and Cost Performance in Construction Projects in Southern and Central Regions of Peninsular Malaysia, <i>International Journal of Advances in Applied Sciences (IJAAS)</i>, Vol.1, No.1, March 2012, pp. 45-52, 45 [ISSN: 2252-8814]</li> <li>• Murali Sambasivan, Yau Wen Soon 2007, Causes and effects of delays in Malaysian construction industry, <i>Science Direct</i>, 517</li> </ul>
Other References	<ul style="list-style-type: none"> <li>• Standard Form of Construction Contract PAM 2018, <i>PAM 2018 Standard Form of Contract</i></li> <li>• Standard Form of Construction Contract PWD/JKR 2010, <i>PWD 2010 Standard Form of Contract (With Quantities)</i></li> </ul>	