

Chairman,  
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**The Institution of Engineers, Malaysia**

Bangunan Ingenieur, Lots 60/62, Jalan 52/4, Peti Surat 223, 46720  
 Petaling Jaya, Selangor Darul Ehsan

## 2-Day Course On Construction Contract Failures: Symptoms, Causes & Treatment

**Organised By: Project Management Technical Division, IEM**

**Date : 9 & 10 December 2019 (Monday & Tuesday)**

**Venue : Auditorium Tan Sri Porf. Chin Fung Kee, 3rd Floor, Wisma IEM**

**Time : 8.30 a.m. - 5.30 p.m.**

**BEM Approved CPD Hours : 14**

**Ref. No: IEM19/HQ/507/C**

**SST 6% is implemented effective from 1 March 2019**

### REGISTRATION FORM

**2-Day Course On**

**Construction Contract Failures: Symptoms, Causes & Treatment  
 9 & 10 December 2019 (Monday & Tuesday)**

No	Name(s)	M'ship No.	Grade	Fee (RM)*
		SUB TOTAL		
		Add SST @ 6%		
<b>TOTAL PAYABLE</b>				

*\* Fees MUST be fully paid A WEEK BEFORE the commencement of the course. Bookings by fax from outstations MUST be forwarded with payments at least A WEEK BEFORE the day of the course. Seats could only be confirmed upon payment.*

Enclosed herewith a crossed cheque No: \_\_\_\_\_ for the sum of RM \_\_\_\_\_ issued in favour of "**The Institution of Engineers, Malaysia**" and crossed 'A/C payee only'. I/We understand that the fee is not refundable if I/We withdraw after my/our application is accepted by the Organising Committee as stated in the **cancellation term**. If I/We fail to attend the seminar, the paid registration fee will not be refunded.

Contact Person: \_\_\_\_\_ Designation: \_\_\_\_\_

Name of Organization: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No.: \_\_\_\_\_ (O) \_\_\_\_\_ (Fax)

\_\_\_\_\_ (H) \_\_\_\_\_ (HP)

Email: \_\_\_\_\_

\_\_\_\_\_  
 Signature & Stamp

\_\_\_\_\_  
 Date

**Photocopies are acceptable**

### REGISTRATION FEE

Grade	Normal	Online
<b>IEM Student Member</b>	RM250.00	RM200.00
<b>IEM Graduate Member</b>	RM500.00	RM450.00
<b>IEM Corporate Member</b>	RM700.00	RM650.00
<b>Non IEM Member</b>	RM1,300.00	RM1,200.00

#### Terms & Conditions:

- Closing date : **3 December 2019**
- For ONLINE REGISTRATIONS, only ONLINE PAYMENT is applicable [via RHB and Maybank2u –Personal Saving & Personal Current ; Credit Card - Visa/Master].
- Payment via CASH / CHEQUE / BANK-IN TRANSMISSION / BANK DRAFT / MONEY ORDER / POSTAL ORDER / LO / WALK -IN will be considered as NORMAL REGISTRATION
- FULL PAYMENT must be settled before commencement of the course, otherwise participants will not be allowed to enter the hall. If a place is reserved and the intended participants fail to attend the course, the fee is to be settled in full.
- Fee paid is not refundable. Registration fee includes lecture notes, refreshment.
- The Organizing Committee reserves the right to cancel, alter, or change the program due to unforeseen circumstances. Every effort will be made to inform the registered participants of any changes. In view of the limited places available, intending participants are advised to send their registrations as early as possible so as to avoid disappointment.

## Synopsis

Dispute in business is inevitable, and the construction industry is no different. Disputes arise within the construction industry for all sorts of reasons, with several possible ways by which to resolve them. However, although these disputes are often resolvable, they inevitably bring many challenges and legal issues that have to take into consideration.

In order to avoid the disputes, we have to understand what are the traps and pitfalls in construction contracts. Even if we may not be able to avoid the disputes completely we may be able to reduce some of them. This course will explore the common problems that exist in construction projects and to seek for possible solutions to overcome them before the disputes escalate.

The traps and pitfall that we seek to explore include:

1. What are the duties and liabilities of Engineers/Architects and Quantity Surveyors in administering construction contracts?
2. Are Engineers/Architects liable to the Contractors for under or no certification?
3. Does Contractor entitled to extension of time for delays caused by the Employer?
4. Under what situations are Contractors entitled to claim for loss & expense for the delay?
5. What if the late completion is due to concurrent delay by both the Contractor and employer?
6. When a project is practically completed?
7. Can the Contractor claim for the variation order which is only issued verbally?
8. Can the Employer terminate a contract when then contractor is progressing slowly and behind the schedule of the program of work?
9. Is retention sum trust money?

This seminar will provide a detailed analysis to the above problems and their related issues.

## About The Course Leader

**Ir. Lai S C** graduated as a Mechanical Engineer from the University of Malaya. He also holds LL.B degree from University of London and LL.M from University of Malaya, majoring in Alternative Dispute Resolution, Arbitration Law, Remedy and Construction Law. In addition, he also holds a Certificate of Legal Practice from the Qualifying Board of Malaysia and Diploma in International Commercial Arbitration (UK).

Ir. Lai has more than 30 years working experience in the field of construction and property development. He is currently the Managing Director of a consulting firm involved in Construction Claims and provision of Contract/Project Management services. Ir. Lai had been invited to deliver papers on construction, water supply and sewage treatment in various international seminars and conferences. He has also written many articles on ADR, Arbitration and Construction Law and had conducted talks on Law for Engineers and on Construction Law to local companies and Universities.

Being an accreditator of Engineering Accreditation Council Malaysia, he is also actively involved in the accreditation of local engineering programmes. Ir. Lai is also appointed as the Student Ambassador for the External Law Programme of University of London. He is empanelled as Arbitrator, Mediator and Adjudicator in the panel of Asia International Arbitration Centre (AIAC).

## Course Schedule & Outline

Day 1		Day 2	
08:30 – 09:00	Registration	08:30 – 09:00	Registration
09:00 – 10:45	The Nature of Construction Contracts Common Breaches. Contractor's Obligations	09:00 – 10:45	Valuation of Variation Defects
10:45 – 11:00	Tea Break	10:45 – 11:00	Tea Break
11:00 – 13:00	Employer's Duties Duties of Architects/Engineers/QS	11:00 – 13:00	Termination of Contract
13:00 – 14:00	Lunch Break	13:00 – 14:00	Lunch Break
14:00 – 15:30	Delays Delay Analysis	14:00 – 15:30	Retention Sum Professional Negligence
15:30 – 15:45	Tea Break	15:30 – 15:45	Tea Break
13:45 – 17:00	Practical Completion Variation Orders	13:45 – 17:00	Professional N�gligence in Construction Adjudication
17:00 – 17:30	Q & A	17:00 – 17:30	Q & A

## Who Could Benefit From The Course

- Project Directors
- Contract Managers / Executives
- Project Managers / Engineers
- Project Architects
- Site Managers / Site Agents
- Quantity Surveyors
- Site supervisors
- Developers
- Contractors and sub-contractors

## Cancellation Policy

IEM reserves the right to postpone, reschedule, allocate or cancel the course. Full refund less 30% if cancellation is received in writing more than 7 days before start date of the event. No cancellation will be accepted prior to the date of the event. However, replacement or substitute may be made at any time with prior notification and substitute will be charged according to membership status.