

WEBINAR ON

DESIGN AND BUILD CONTRACTS

Speaker:

Ir. Lim Eng Chong

DATE: 24 JULY 2021 (SATURDAY)

TIME: 10.00 AM - 12.00 NOON

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Synopsis

Design and Build (“D&B”) contracts (sometimes referred to as Turnkey contracts) are sometimes used as the vehicle to deliver projects in the building and engineering construction industry.

There are fundamental advantages to be gained from the letting out of contracts on D&B basis, not least being that it lends itself to fast tracking in that a developer will normally require to have the design ready only in outline form as the details can be left to be finalized by the contractor’s design team during construction.

Thus, for example the minimum that will often be included in the tender will be building plans and elevations sufficient to show for example the podium, car parks, and tower foot print together with mechanical and electrical (including utilities) being described in the schedule of prices and specifications. Contractors will often be able to take shorter duration to complete project than if the developer is to complete design and then engage a contractor to carry out the works.

A developer is of course free to delimit the extent that he wishes the contractor to carry out the design with some design already carried out or define parameters which are to be applicable.

The talk will address the above issues as well as the very fundamental issue of contractor’s design responsibility for D&B contracts. It shall be based essentially on the FIDIC 1999 Conditions of Contract for EPC/Turnkey Projects but comparisons shall be made with the PWD Form.

Speaker Biodata

Ir. Lim received his Bachelor’s Degree in Civil Engineering from the University of Manchester Institute of Science and Technology in 1979 and his Bachelor of Law Degree from the University of Wolverhampton in 1996. He passed his Certificate in Legal Practice examination and was called to the Malaysian Bar in 2003. He has been involved in many major construction projects both as an engineer and a contracts specialist. The total value of projects in which he has been involved both as an engineer and construction contracts specialist is about RM 5 billion.

Ir. Lim jointly updated Halsbury’s Laws of Malaysia (a series of reference encyclopaedias for lawyers) “Building & Construction” title published by Malayan Law Journal in 2006 and 2012 (although the latter was not published due to technical problems in the publication process).