

Webinar Talk

THE CIDB 2022 'BOON OR BANE' CRITICALLY COMPARED, FOR THE ENGINEERS

Organised by:
Project Management Technical Division, IEM

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 **23 JUNE 2023, FRIDAY**

 **5.00pm - 7.00pm**



SPEAKER:

AR. DAVID YEK TAK WAI

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SYNOPSIS

In this talk, the presenter attempts to share with you, (1) the overview of CIDB Standard Form of Contract where back in 2000, a community of construction professionals and lawyers came together to formulate the CIDB 2000 as an alternative to the widely used Malaysian Standard Form of Building Contract 1969 or often known as PAM 69. However, as the saying goes, the 'proof of the pudding is in the eating.' PAM 69, now PAM 2006/2018 remains widely used in the Malaysian private sector of the construction industry, far surpassing the use of the CIDB 2000. One crucial question is why has the CIDB 2000 not been the preferred choice?; (2) what has been installed in the new CIDB 2022 based on the draft and more importantly, the overarching question, 'what is the patented issue, if any, in the draft CIDB 2022 critically compared to the NEC or the other forms of building contract?'; and (3) how can Engineer plays its role on this new collaborative procurement alternatives? Especially so, when the SO must act proactively instead of 'to wait and see' as well as the Engineer's forte and expertise as expert determiner and ADR resolvers.

SPEAKER'S PROFILE

Ar. David is dual qualified as an architect and construction law expert. He sets up DYA+C to undertake advises on disputes and potentially appear as disputes resolver. Architecture: Prior to his venturing into ADR, he had been actively practising as a Professional and RIBA Chartered Architect, as David Yek Architect (DYA) for more than 20 years. His work includes private residential, high-end mass residential high-rises, international schools and mixed development commercial. Dispute Resolution: Ar. David obtained his LLM in Construction Law and International Arbitration from the Robert Gordon University, Aberdeen (RGU), along he was elected as FCI Arb, collectively, empanelled as arbitrators, adjudicators, mediators and expert determiners in the AIAC and the various arbitration centres worldwide, i.e. MIAC, THAC, AIADR, HKICAdj, RICS-DRS and others. He is elected fellows of FCI Arb, FHKICAdj, FMI Arb and FCABE. Others: Ar. David acted as independent experts on liabilities for arbitrations and litigations on area of Constructions, Professional Liabilities, Fire and Building Codes compliance. He is a member of Building Defects Forensic Inspector with the Architect Centre; a Fire Engineer with the International Fire Engineers (IFE); and an associate of Academy of Expert (AOE) UK. He is also an Accredited Green Professional with Green-RE and Green Building Index (GBI). Education: Ar. David has been involved in the various academia as guest lecturers for various institution i.e. University Technology of Malaysia (UTM), University Tengku Abdul Rahman (UTAR), UCSI, University Malaysia and Taylor's University; and a current taskforce member of Construction Industry Law Centre ('CILC'), a unit under University Science Malaysia (USM).