



THE INSTITUTION OF ENGINEERS, MALAYSIA

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Talk on

Dispute Management in Construction Contracts: Red Sea, Blue Ocean or Green Valley

Organised by the Consulting Engineering Special Interest Group, IEM

Date : ~~4 May 2013 (Saturday)~~ 20 May 2013 (Monday)
Time : 5.30 pm to 6.30 pm (Refreshment will be served at 5.00 pm)
Venue : Tan Sri Prof. Chin Fung Kee Auditorium, 3rd Floor Wisma IEM, Petaling Jaya
Speaker : Ir. C K Khoo

BEM Approved
CPD/PDP Hours: 1
Ref No: IEM13/HQ/085/T

SYNOPSIS

POSTPONED TO 20 MAY 2013

Construction Contracts are often bedevilled by disputes over Quality of Work, Payment, Time and Cost Issues. In serious cases Parties are so mired in disputes that they lose sight of the objective of the Contract, viz : to carry out the proper construction of the Works, and with each Party honouring its commitments in accordance with the Contract. Disputes may be resolved mainly by Negotiation, Mediation, Adjudication, Arbitration or Litigation, and variants of such methods such as Dispute Resolution Advisors, Dispute Adjudication Boards, Fast Track Arbitration, Arb-Med or Med-Arb. The range of methods is ever-growing, as the construction industry finds the existing (contentious) methods to be unsatisfactory and wasteful in time and cost. In many instances a culture of conflict begins to grow soon after the commencement of work, and the participants in the Contract are soon immersed in a Red Sea. Can the Industry move forward to adopt more amicable and less contentious customs and conditions of contract? Can it sail into halcyon waters in the Blue Ocean? Can we develop Green Valley Contracts, i.e. those which will minimise energy input in disputes and dispute resolution? In this short presentation the speaker hopes to raise awareness of the need to tackle such issues. Industry Experts may contribute towards mitigating disputes by adopting positive and objective approaches to problem solving, and refrain from taking on adversarial and advocacy roles. The speaker will cite case histories to show the important role of Experts in dispute management.

BIODATA OF SPEAKER

Ir. C.K. Khoo is a Civil Engineering graduate of the University of Glasgow. He has more than 45 years of experience as an Engineer in both the Government Sector and private practice. He is Managing Director of Wan Mohamed & Khoo Sdn Bhd, Consulting Engineers. His fields of experience include dams; tunnels; water supply; sewerage; drainage & irrigation; flood control; highways; structures; residential; commercial & industrial buildings; aquaculture; reclamation; and project management. Khoo is a Professional Engineer, Chartered Arbitrator, Fellow and past Vice-President of IEM, past Vice-President of Malaysian Invention and Design Society, past Chairman of Chartered Institute of Arbitrators (CI Arb), Malaysia Branch and Past President of Malaysian Institute of Arbitrators (MI Arb). He is a Fellow of CI Arb, Fellow of MI Arb and holds a Diploma in International Arbitration of the CI Arb. Since 1984, Khoo has been regularly engaged in arbitration of more than 50 construction industry disputes. He has been visiting lecturer on Arbitration Law, Practice and Procedure at the Law Faculty of University Malaya, and Mentor for the University's International Moot Teams. Khoo is listed on the Panel of Arbitrators of IEM, CI Arb, World Intellectual Property Organisation and several other international arbitral organisations in Hong Kong, Singapore and Korea. He is a Trustee of Yayasan Reka Cipta Malaysia (Invention Foundation of Malaysia).

Ir. Dr. Ooi Teik Aun

Chairman, Consulting Engineering Special Interest Group Technical Division, IEM

Announcement to note:

1. Talk is STRICTLY for IEM members only (pre-registration and online registration are NOT required)
2. Telephone and/or fax reservation will NOT be entertained
3. Limited seats available on a "first come first served" basis (maximum 110 participants).
4. IEM members are required to produce your membership cards for confirmation of attendance (CPD purpose).
5. Latecomers will not be allowed to enter if the lecture hall is full nor be entitled to CPD.
6. IEM members who fail to produce their membership cards will be charged a fee of RM20.00.

FUNDS FOR IEM BUILDING FUND (WISMA IEM)

Kindly be informed that IEM will be charging participants RM 10.00 administrative fee for talks organised by IEM. The fee would be used for overhead costs, building maintenance expenses as well as to support the purchase of the new building. All contributions will be deeply appreciated by IEM. Students are however exempted.

Your understanding is greatly appreciated.

CPD HOURS CONFIRMATION

Name of Member:

M'ship No:

Date :