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The Institution of Engineers, Malaysia

2-Day Course On Construction Contracts - Traps and Pitfalls

Organised By:

Project Management Technical Division, IEM

Date : 5th & 6th October 2015 (Monday & Tuesday)
 Venue : C&S and TUS Lecture Room, Second Floor,
 Wisma IEM, Petaling Jaya, Selangor
 Time : 8.30 a.m. - 5.30 p.m.

BEM Approved CPD/PDP Hours = 14
 Ref. No: IEM15/HQ/300/C

GST is implemented effective from 1 April 2015

REGISTRATION FORM

2-Day Construction Contracts - Traps and Pitfalls

5th & 6th October 2015 (Monday & Tuesday)

Closing Date : 1st October 2015

No	Name(s)	M'ship No.	Grade	Fee (RM)*
		SUB TOTAL		
		Add GST @ 6%		
Total Payable				

*Fees MUST be fully paid BEFORE the CLOSING DATE. 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 (GST NOT INCLUDED)

GRADE	Normal	Online
IEM Student Member	RM200.00	RM150.00
IEM Graduate Member	RM650.00	RM600.00
IEM Corporate Member	RM750.00	RM700.00
Non IEM Member	RM950.00	RM900.00

IMPORTANT NOTES

- Closing Date : 1st October 2015
- For **ONLINE REGISTRATION**, payment **MUST BE MADE ON REGISTRATION** [via RHB Now and Maybank2u Personal Saving & Personal Current; Any Credit Card - Visa/Master.
- Payment via **CASH/CHEQUE/BANK-IN TRANSMISSION/BANK DRAFT/MONEY ORDER/ POSTAL ORDER/LOU/LOG/WALK -IN will be considered as NORMAL REGISTRATION**
- **FULL PAYMENT** must be settled before commencement of the event, otherwise participants will not be allowed to enter the hall. If a place is reserved and the intended participant fails to attend the course, the fee is to be settled in full. If the participant failed to attend the course, the fee paid is non-refundable. IEM reserve the right to reject any LOU/LOG not in accordance with these instructions.
- The Organising Committee reserves the right to alter or change the programme due to unforeseen circumstances.

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 the University of London and LL.M from the 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.

Ir. Lai has more than 30 years working experience in the field of construction and property development. He is currently the Managing Director of an engineering firm involved in construction and contrac6t claims. Ir. Lai had been invited to deliver papers on water supply and sewage treatment in various international seminars and conferences. He has also written various articles on ADR, Arbitration and Construction disputes and had conducted talks on Law for Engineers and on Construction Law to local companies and Universities.

Being an accreditor of Engineering Accreditation Council Malaysia, he is also actively involved in the accreditation of local engineering programmes. He is currently a member of the Industry Advisory Panel for Limkokwing University of Creative Technology and Multimedia University. 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 Kuala Lumpur Regional Centre of Arbitration (KLRCA).

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
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 Negligence Professional Negligence in Construction
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.