

NATIONAL UNIVERSITY OF SCIENCE AND TECHNOLOGY
FACULTY OF THE BUILT ENVIRONMENT
BACHELOR OF QUANTITY SURVEYING (HONOURS) DEGREE
PART II FIRST SEMESTER EXAMINATIONS DECEMBER 2011
LAW: CONSTRUCTION AND ENGINEERING I – AQS2106

Time: 3 hours

Total Marks: 100

Instruction to candidates

Answer any **four** questions

QUESTION ONE

- a) Discuss in detail all legalities that are involved in the tendering process in Zimbabwean construction industry. (10 marks)
- b) Explain in detail the process of contract formation through tendering. (10 marks)
- c) Highlight the duties of a Quantity Surveyor in nomination tendering. (5 marks)

QUESTION TWO

- a) Discuss with examples the types of insurance of a contractor in a building contract. (10 marks)
- b) With the aid of case laws highlight the importance of guarantees and bonds in the construction industry. (15 marks)

QUESTION THREE

- a) Explain with reference to relevant clauses situations which can allow the contractor to claim for loss and expense. (15 marks)
- b) What precautions or actions should employers have in order to protect themselves against delays and cost involved in the event of contractor failing? (10 marks)

QUESTION FOUR

- a) With reference to case laws discuss ways of transferring ownership of materials in a building contract. (15 marks)
- b) With reference to Standard Form of Building contract how conclusive is the Architect's certificate? (10 marks)

QUESTION FIVE

- a) What is arbitration? (2 marks)
- b) What are the advantages of Arbitration over litigation? (10 marks)
- c) What is the difference between arbitration and mediation? (6 marks)
- d) Discuss different types of surety bonds used in the construction industry. (7 marks)