

NATIONAL UNIVERSITY OF SCIENCE AND TECHNOLOGY
FACULTY OF THE BUILT ENVIRONMENT
BACHELOR OF QUANTITY SURVEYING (HONOURS) DEGREE
PART II FIRST SEMESTER EXAMINATIONS APRIL 2009

LAW: CONSTRUCTION AND ENGINEERING II AQS 2106

Time: 3 HOURS

TOTAL MARKS: 100

Instructions to candidates:

- a) *Answer 5 questions*
- b) *Each question carries 20 marks.*
- c) *Where information is insufficient, candidates are allowed to make reasonable assumptions. Assumptions made must be stated.*

Question 1

Define the following terms:

- a) Serial tender (5 marks)
- b) Negotiated tender (5 marks)
- c) Open tender (5 marks)
- d) Selective tender (5 marks)

Question 2

- a) Describe the circumstances under which ownership of materials intended for a construction project transfers to the client (10 marks)
- b) Briefly describe any five sections that you would find in an Architect's Payment Certificate (10 marks)

Question 3

Describe what a *Certificate of Practical Completion* is and explain what it signifies (20 marks)

Question 4

Describe the characteristics of a valid construction contract (20 marks)

Question 5

Define the following terms:

- a) Defects liability period (5 marks)
- b) Mediation (5 marks)
- c) Arbitration (5 marks)
- d) Builder's lien (5 marks)

Question 6

What is insolvency and what happens when a contractor who is carrying out some construction work is declared insolvent (20 marks)

END OF EXAMINATION