

NATIONAL UNIVERSITY OF SCIENCE AND TECHNOLOGY
FACULTY OF THE BUILT ENVIRONMENT
BACHELOR OF QUANTITY SURVEYING (HONOURS) DEGREE
PART II SUPPLEMENTARY EXAMINATIONS –2012
LAW: CONSTRUCTION AND ENGINEERING I – AOS2106

Time: 3 hours

Total Marks: 100

Instructions to candidates

Answer any **four** questions

QUESTION ONE

- a) What is a tender? (2 marks)
- b) What is penalty? (3 marks)
- c) List and explain tender documents that are used in the construction industry and highlight their importance (10 marks)
- d) Highlight some of the important issues that are considered when selecting a contractor (10 marks)

QUESTION TWO

- a) Basically, there are three principle methods of choosing a contractor, explain the selective type of method highlighting the advantages and the disadvantages of this method. (15 marks)
- b) Discuss the different types of mistakes in tendering and the legal remedies involved. (10 marks)

QUESTION THREE

Discuss the following concepts in construction law

- i) Litigation (5 marks)
- ii) Mediation (5 marks)
- iii) Arbitration (5 marks)
- iv) Liens (5 marks)
- v) Surety (5 marks)

QUESTION FOUR

- a) Discuss with reference to case laws the clause 12 of the Standard Building of Contracts highlighting the importance of the clause (20 marks)
- b) Explain types of surety bonds that are used in the construction industry (5 marks)

QUESTION FIVE

- a) Differentiate surety and insurance (4 marks)
- b) What are Liquidated and Ascertained Damages? (3 marks)
- c) Explain with reference to relevant clauses situations which can allow the contractor to claim for loss and expense (15 marks)
- d) What is payment certificate? (3 marks)