



NATIONAL UNIVERSITY OF SCIENCE AND TECHNOLOGY

FACULTY OF THE BUILT ENVIRONMENT

DEPARTMENT OF QUANTITY SURVEYING

INTERNATIONAL CONSTRUCTION: CONTRACTS AND ARBITRATION

AQS4210

MAY 2016

This examination paper consists of 2 pages

Time Allowed: 3 hours

Total Marks: 100

Special Requirements: None

Examiner's Name: M. E. MAKOTA

INSTRUCTIONS

1. Answer QUESTION 1 and ANY three (3) questions from section B
2. Each question carries 25 marks

MARK ALLOCATION

QUESTION	MARKS
1.	25
2.	25
3.	25
4.	25
5.	25
TOTAL	

SECTION A

QUESTION I: COMPULSORY

- a. The client has detailed designs and comprehensive site information for a proposed shopping complex. The decision to administer the project under an NEC3 ECC has been made. The maximum budget for the client is \$3M, but ideally the client like to realise savings and maximise value for money.
 - i. Assist the client on the appropriate ECC Option to adopt including any contract data considerations. (10)
 - ii. Explain how the conditions of contract under an ECC form are assembled (5)
- b. You are a project manager on a design and build ECC project which is using option B with secondary option X7,X15 and Y(UK)2. The contractor submitted his first program for acceptance in accordance with the time scales of ECC and this has been accepted by the project manager. The contractor realised that something required in the works' information has neither been priced nor shown on the accepted programme. Explain what happen to the programme and how the issue of payment of the item would be treated (10)

SECTION B

QUESTION 2

Discuss the procurement policies and procedures that are used on a World Bank financed project. (25)

QUESTION 3

Explain where the Yellow, Green and the Silver book of FIDIC form of contract can be used (10)

Discuss how disputes and claims are dealt with on international construction project administered under FIDIC contract. (15)

QUESTION 4

NEC was drafted as a way of producing a different contract from other standard forms in style and content by achieving three main specific objectives and principles: Explain how each of these intended objectives and principles are achieved under NEC: ECC (15)

Discuss the impact of 'Z' clauses on NEC as a modern contract.

(10)

QUESTION 5

Explain the factors that need to be taken into consideration in designing international organizational structures and how they impacts on project success

(25)