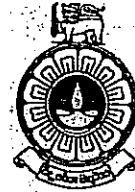


THE OPEN UNIVERSITY OF SRI LANKA
DEPARTMENT OF CIVIL ENGINEERING
CONSTRUCTION MANAGEMENT PROGRAMME - LEVEL 7
POST GRADUATE DIPLOMA / STAND ALONE COURSES



Final Examination – 2011

CEX7105 - Construction Contracts and Claims

Time Allowed : Three Hours

Date: 02nd March 2012

Time : 0930-1230 hrs.

Candidates may answer the questions in accordance with the ICTAD Conditions of Contract as per the Standard Bidding Documents.

The candidates must state explicitly the Conditions of Contract in accordance with which he has answered the questions.

Candidates are NOT permitted to refer to the above publications at the Examination Hall.

Candidates are required to provide comprehensive answers using relevant examples from the industry for clarity.

Answer any four (04) questions. All questions carry equal marks.

Q1.

Failure on the part of the Engineer to issue drawings or instructions within a reasonable time, is not an uncommon occurrence in construction projects.

Explain the steps that need to be taken by the Contractor's Site Representative to safeguard the interests of the Contractor and to ensure that the Contractor is adequately compensated for any loss or damages that may result due to such failures.

Q2.

Define the term "Memorandum of Understanding" as applicable to construction contracts and explain the procedure to be followed by the Employer prior to including a Memorandum of Understanding in contract documents.

Q3.

Write a short account on the purpose of obtaining 'Day-Work' rates from the Contractor at the tendering stage.

Q4.

Conditions of Contract generally require the Contractor to obtain prior approval from the Employer to assign any part of the Works to another party. Explain the purpose of imposing this obligation on the Contractor.

Q5.

If the rate of progress of construction work is delayed due to unforeseen sub soil conditions and exceptional adverse weather conditions, identify the claimable loss or damage that the Contractor may suffer from such situation and explain the procedure for making such claims.

Q6.

Explain the term "documents mutually explanatory" in connection with construction contracts.