

THE OPEN UNIVERSITY OF SRI LANKA
Department of Civil Engineering
Construction Management Programme - Level 7



**CEX7105 - CONSTRUCTION CONTRACTS AND CLAIMS
FINAL EXAMINATION- 2016/17**

Time Allowed: Three Hours

Date: 19-11-2017

Time: 0930-1230 hrs.

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

List out the documents forming the Contract for Major Work (ICTAD/SBD/02) in the order of priority and explain the purpose and significance of listing these documents in the stated sequence.

The Conditions of Contract Clause 3.1 gives the Engineer's Duties and Authority. Briefly explain. (25 marks)

Q2.

Bidders are expected to submit a valid Bid Security together with the Bid.

Explain the circumstance under which the Employer is entitled to claim the value stated in the Bid Security from the issuing authority.

When does the bidder need to furnish the Performance Security? Under what circumstances will he be required to furnish a fresh Performance Security? (25 marks)

Q3.

The Conditions of Contract include a provision for "Employer's Entitlement to Termination for Convenience". In case the Contract is terminated in pursuance of this Clause discuss in detail the damages the Contractor is entitled to claim due to termination of Contract under this Clause. (25 marks)

Q4.

Define the term "Force Majeure" and write a note on Contractor's right to claim damages resulting as consequences of Force Majeure. (25 marks)

Q5.

Explain in detail the importance of the "Employers Requirement" in a "Design and Build" Contract. (25 marks)

Q6.

Explain in detail the procedure stipulated in the Conditions of Contract in resolving disputes. (25 marks)