

# PRACTICAL CONSTRUCTION CONTRACT ADMINISTRATION/ MANAGEMENT (2022/2023)

## 18 HALF-DAY WEBINAR SESSIONS

LAM & BQSM  
CPD Points  
have been  
applied

Topics featured in these webinar sessions are essentials for those involved in the Construction Industry

### Training topics include:

- Architect's Client Brief – Development and Process
- Effective Project and Value Management
- Construction Contract Law Principles
- Procurement Systems and Contractual Arrangements
- Tender and Contract Documentation
- Risk Management
- Bonds and Insurances
- Health & Safety at Works
- Instructions and Variations
- Payments, Final Account and CIPAA
- Extension of Time
- Loss and/or Expense
- Completions, Non-Completion and Defects
- Building Information Modelling (BIM)
- Certificate of Compliance and Completion – Statutory Requirements and Process
- Subcontracting
- Contract Administration by Superintending Officer/Architect
- Termination/Determination and Alternative Dispute Resolution

### Jointly Organised by:



### In Collaboration with:



# OBJECTIVE

With the lifted Conditional Movement Control Order by our Government to reinvigorate national economy which was affected by Coronavirus or Covid-19 pandemic, life must go on under such difficult and uncertain times. Players and personnel in the construction industry must continue to develop / improve, adapt and update through acquiring commercial and contractual knowledge and skills, including experiential learning.

This specifically targeted training programme combines construction contract and technical knowledge with practical experience and skills with work related discussions, including the Trainers sharing their experience through past economic downturns/recessions. The impending economic downturn/recession is likely to be the most severe, both locally and globally.

Under such unfortunate circumstances, PAM, RISM & LHCKL in collaboration with BK Entrust have organised eighteen (18) comprehensive training sessions, covering extensively and comprehensively contract administration/management aspects, including related case law updates with Q&A discussion relating the topics presented in each half-day session.

Each session is stand-alone, mostly based on BK Entrust construction contract and management articles published since 2002 to date, incorporating primarily Malaysian standard forms of contract, in particular PAM 2006/2018 and JKR/PWD contracts.

## ABOUT THE ORGANISERS

**Pertubuhan Akitek Malaysia (PAM)** is the national professional institute representing architects in Malaysia.

The mission statement of the Institute is "To promote the advancement of architecture and the architectural professional for the betterment of society". The Institute provides a framework for its members to operate effectively: to do, to run and to get the business of architecture within the Code of Conduct and Scale of Fees.

**Royal Institution of Surveyors Malaysia (RISM)** is the registered proprietor of the certification mark "Sr" and the registration is currently valid and subsisting under the Trademarks Act 2019. The Institution comprises four distinct but closely related Divisions i.e. Geomatics and Land Surveying Division, Quantity Surveying Division, Property Surveying Division and Building Surveying Division. The Divisional Chairs are members of the General Council which is the governing body of the Institution.

The mission statement of the Institution is "To continuously improve the standards of professional practice and ethics, to promote the welfare and professional development of members, To expand by incorporating related disciplines into our profession and to continue to be relevant and of benefit to the public

**Lighthouse Club Kuala Lumpur** is a non-political organization supporting construction industry in Malaysia through the promotion of good fellowship among its members and the provision of charitable assistance to distressed persons within the industry. 100% of all donations received go to helping those most in need in the construction industry.

**BK Asia Pacific** is group of companies incorporated in the Asia Pacific Region providing a comprehensive network of project management, commercial and contract management services to the international construction industry, with offices in China (Hong Kong, Macau and Shanghai), Malaysia, Philippines, Singapore and Vietnam. For further details, visit [www.bkasiapacific.com](http://www.bkasiapacific.com)

**BK SURCO Training** is an incorporated joint venture between BKAsiaPacific ("BK") and SURCO Ltd, the information business of the Chartered Institution of Civil Engineering Surveyors ("ICES"), to provide an advisory and mentoring service to all those interested in qualifying for corporate membership of the Chartered ICES, advising on training needs and work experience required, helping them through the professional training courses such as Certified NEC Professional Training Course, advising on any necessary further work experience to implement the knowledge gained through the training modules and assisting them with their preparation of membership application documents and endorsing same. BK SURCO Training was founded as the International Training Company of Chartered ICES to provide commercial training resources, advice and help for employers of construction personnel, especially those working in civil engineering, and for individuals engaged in commercial activities within the construction industry.

**Entrust Group** is a multidisciplinary group of companies providing comprehensive consultancy, advisory and management services in project, commercial, contracts, construction, facilities, risks, quality and value management, cost management, executive search/personnel recruitment and corporate training/seminars/ workshops to various industries particularly in construction, petrochemical, manufacturing and IT, both locally and internationally. For further details, visit [www.entrust.com](http://www.entrust.com)

## SPEAKERS' PROFILE



### Sr ONG HOCK TEK ("HT")

Arbitrator/Adjudicator/Mediator Evaluative Mediator  
CQS/Cert.Constr.PM/VM Practitioner/Master Trainer  
BSc(1st Hons) MSc MBA DipM DipICarb MIVMA MIVMM MMIM  
FCIARB FSIARB FMIARB FMSAdj FAIADR FCIARB FCIInstCES FRICS FRISAM  
**Managing Director, BK Entrust**

Sr Ong Hock Tek ("HT") is a Fellow of nine professional institutions, a well-qualified multi-disciplinary and specialist consultant, over 30 years of working experience with architects, quantity surveyors, project managers, civil engineering/building contractors and specialist consultants. He is a Panel Arbitrator, Adjudicator and Mediator of AIAC, Panel Arbitrator of PAM and SIARB, Accredited Mediator, Value Manager and Certified Construction Project Manager of CIDB, past Deputy President of CIOB Malaysia, Past President of Lighthouse Club, past 1st Treasurer-General and current ADR Chair (QS Div.) of Royal Institution of Surveyors Malaysia.

His specific experience/expertise include construction project/contracts management, quantity surveying, risks/value management, claims preparation /defense, alternative dispute resolution (ADR), particularly in advisory, support services, documentation and proceedings. He also acts as an Arbitrator, Mediator, Negotiator, Expert (quantum) and Party Counsel/Representative on technical, commercial and contractual disputes/ differences between the contracting parties, at both main and sub-contract levels.

Being a Master Trainer, HT has organised and delivered many public and in-house conferences, seminars and workshops for professional institutions and private/public listed companies, in particular on construction contracts, ADR, risks and value management. He lectured part-time for bachelor and master degree programmes in the same areas for several years and has been a regular article contributor to the Master Builders Journal on construction contract and management issues since 2002 till to date. He is the speaker/trainer for the annual 6 to 12 one-day seminar sessions on Practical Construction Contract Administration/Management organised by Master Builders Association Malaysia since 2015 till 2020. Thereafter, he conducted similar 15-half day webinar module courses for Pertubuhan Akitek Malaysia and Royal Institution of Surveyors Malaysia all in collaboration with BK Entrust, since 2020 onwards till to-date.



### Ar STEVEN THANG BOON ANN\*\*

Architect, Adjudicator, Expert Witness, Thermographer,  
Regs. Building Conservator  
B.Arch, P.Arch, APAM,MIID

Ar Steven Thang Boon Ann was formerly a PAM Council Member (2012 - 2022) and former Chairman for the ADR Committee and Heritage & Conservation Committee. He has appeared many times in courts and arbitrations as an expert witness and serves as advisor to parties that are seeking to solve disputes. He represents PAM and chair in several technical committees (Construction and Civil Engineering sector) in Department of Standards (formerly was SIRIM). He is involved with CIDB in the review of CIS7 QCLASSIC and current committee member for the review of CIDB form of contract and CIDB/MIID form of contract for small project.



### Ar DAVID CHEAH MING YEW\*\*

Architect, Urban Planner, Adjudicator,  
Mediator and Chartered Arbitrator  
B.Arch.St., B.Arch., M.Urb.Plan., M.Sc. (Construction Law & Arbitration), DipArb.  
APAM, APPM, RIBA, RAIA, NZIA, NZPI, PIA, FSIARB, FCIARB

Ar David Cheah Ming Yew is an Architect, Town Planner and Chartered Arbitrator. He believes that due to the nature of construction and the pressure for projects to be completed on time and within budget, the certification process can be a 'minefield'.

\*\* PAM designated speaker for Session 1, 15 or 17

# TRAINING OUTLINE CONTENTS

## SESSION 1 (Saturday, 26 November 2022) Architect's Client Brief – Development & Process \*\*

- What is an Architect's Client Brief?
- Importance of the Brief
- Key Problems
- How the Brief Evolves?
- Brief Preparation Guidelines.
- Design Brief Checklist
- Phases/Process
- Q&A

## SESSION 4 (Saturday, 18 February 2023) Procurement Systems & Contractual Arrangements

- Types of Procurement System
- Selection of Procurement System
- Types of Contractual Arrangement
- Forms of Contract
  - Reason for Standard Forms
  - Malaysian & International Standard Forms
- Contract Strategy and Selection
- Q&A

## SESSION 7 (Saturday, 15 April 2023) Bonds & Insurances

- Insurance Principles/Requirements
- Types of Insurance
- Procedure for Claims Notification
- Common Problems in Insurance Claims
- Bonds & Guarantees
- On-Demand Bond vs Performance Bond
- Q&A

## SESSION 10 (Saturday, 24 June 2023) Payments, Final Account & CIPAA

- Interim Claims, Valuation & Certification Procedures
- Employer's Obligation to Pay
- Set-Offs
- Fluctuations
- Retention Sums
- Final Account Preparation & Settlement
- Effect of Interim & Final Certificate
- Construction Industry Payment & Adjudication Act (CIPAA) 2012
- Q&A

## SESSION 13 (Saturday, 05 August 2023) Completions, Non-Completion & Defects

- Conditional CPC
- Substantial Completion
- Sectional/Partial Completion
- Handover
- Non-Completion/SLAD
- Patent and Latent Defects
- Outstanding/Non-compliant Works
- Defects Liabilities
- Defects Management
- Q&A

## SESSION 2 (Saturday, 17 December 2022) Effective Project & Value Management

- Project Management
- Contract Management vs Contract Administration
- 12 Essential Ingredients/ Elements
  - Value Management
    - VM & Philosophy
    - Benefit of VM
    - Job Plan Methodology
    - VM Implementation
    - Soft VM – Value Managed Quality System
  - Q&A

## SESSION 5 (Saturday, 4 March 2023) Tender & Contract Documentation\*\*

- Tender and Contract Documents
- Tender Process & Procedure
- Letter of Intent & Formation of Contract
- Requirement of Act 520 – Construction products and materials under Fourth Schedule
- Q&A

## SESSION 8 (Saturday, 20 May 2023) Health & Safety at Works\*\*

- Basic Health and Safety Requirements
- Health and Safety Statutory and Contractual Provisions
- Attitudes on site
- Risk assessments and method statements
- CIS 27 – OSH Specification and Bill of Quantities (BQ) for Construction Works
- Q&A

## SESSION 11 (Saturday, 08 July 2023) Extension of Time

- Delay Categories
- Commencement, Progress & Completion
- Grounds/Events
- Claim Procedures
- Assessment
  - Concurrent & Culpable Delay
  - Work Programme
  - Expedition, Mitigation & Acceleration
  - Certification
- Q&A

## SESSION 14 (Saturday, 19 August 2023) Building Information Modelling (BIM) – Application and Impact on Construction Industry

- What is BIM?
- Evolution of CAD
- Concept of BIM
- BIM Application
  - Architectural
  - Cost Estimation
- Case Study
- Q&A

## SESSION 3 (Saturday, 07 January 2023) Construction Contract Law Principles\*\*

- The Malaysian Legal System
- Essential Legal Aspects of Contracts
- Remedies for Breach of Contracts & Torts
  - Damages
  - Specific Performance
  - Injunction
  - Recover Damages via Tort
- Particular Aspects of Building & Construction Contracts
- Salient Provisions in Building & Construction Contracts
- Q&A

## SESSION 6 (Saturday, 18 March 2023) Risk Management

- Definitions
- Characteristics and Problems in Construction
- Sources and Effects of Construction Risks
- Risks Categories
- Risks Appraisal and Management Process
- Risks Management Workshop – A Facilitated Approach
- Q&A

## SESSION 9 (Saturday, 10 June 2023) Instructions & Variations

- Instructions
- Verbal v Written Instructions
- The Needs for Variations
- Definition of Variations
- Variations' Instruction
- Scope of Variations
- Valuation of Variations
- Q&A

## SESSION 12 (Saturday, 22 July 2023) Loss and/or Expense

- Claims and Damages
- Grounds
- Notification
- Submission
- Claims Documentation
- Evaluation
- Head Office Overheads
- Additional Preliminaries
- Global Claim
- Q&A

## SESSION 15 (Saturday, 26 August 2023) Certificate of Compliance & Completion – Statutory Requirements and Process \*\*

- Frameworks
- Principal Submitting Person
- Types of Forms
- Application Process
- Guidelines
- Penalty
- Q&A

**SESSION 16 (Saturday, 09 September 2023)****Subcontracting**

- What is Subcontracting?
- Pertinent Subcontract Provisions
- Pertinent Issues & Implications
  - Obligations & Liabilities
  - Commencement & Completion
  - Instructions & Variations
  - Extension of Time
  - Loss and/or Expense
  - Defects
- Q&A

**SESSION 17 (Saturday, 23 September 2023)****Contract Administration by Contract Administrator\*\***

- Role and qualification of contract administrator
- Knowledge of Contract
- Work program, Site meetings and Certificates
- Disputes avoidance and Defects
- Handover
- Q&A

**SESSION 18 (Saturday, 14 October 2023)****Termination/Determination & Alternative Dispute Resolution**

- Determination of Employment
- Termination of Contract
- Nature of Construction Disputes
- Types of Dispute Resolution Methods
  - Traditional
  - Alternative Dispute Resolution (ADR)
- Dispute Resolution Procedures under Building and Construction Contracts
- Q&A

**\*\* Session's speaker, topic and/or contents may be subject to change or replacement due to unforeseen circumstances.**

# REGISTRATION

**Webinar Saturday Session  
9.30 am to 1.00 pm, with Q&A**

	<b>Fee (per Session)</b>	<b>Six Sessions (per Pax)</b>	<b>Twelve Sessions (per Pax)</b>	<b>All Eighteen Sessions (per Pax)</b>
<b>Member</b>	<i>RM110</i>	<i>RM600</i>	<i>RM1,150</i>	<i>RM1,600</i>
<b>Institution</b>	<i>RM130</i>	<i>RM700</i>	<i>RM1,350</i>	<i>RM1,900</i>
<b>Others</b>	<i>RM150</i>	<i>RM800</i>	<i>RM1,550</i>	<i>RM2,200</i>

**All proceeds (less expenses) will be donated to charity organisations by respective institutions**

Please make payment to :  
Pusat Teknologi PAM Sdn Bhd  
United Overseas Bank (Malaysia) Bhd; UOB Account No.: 144-300-583-3  
(Payment receipt is **COMPULSORY** to be attached in the Google Form)

**Only online payment/transfer is accepted.  
Closing date of registration is on Wednesday  
before 5.00 PM, three days before event date.**

### Registration Forms:



Please scan the QR Code or use the link below for registration:

<https://forms.gle/cGCNcreNiTosXVmo9>

Member	Pertubuhan Akitek Malaysia (PAM)
	Royal Institution of Surveyors Malaysia (RISM)
	Lighthouse Club Kuala Lumpur
Institution	Lembaga Arkitek Malaysia (LAM)
	Board of Quantity Surveyors Malaysia (BQSM)
	Chartered Institute of Arbitrators (CIArb)
	The Malaysian Institute of Arbitrators (MIArb)
	Real Estate & Housing Developers' Association (REHDA)
	The Institution Of Engineers, Malaysia (IEM)
	Malaysian Institute of Interior Designers (MIID)
Master Builders Association Malaysia (MBAM)	

**NOTE:**

- 1 Registration is confirmed upon receipt of payment only.
- 2 Cancellation one week before any session (for fee paid per session option) shall be subjected to a thirty percent (30%) service charge. No refund for cancellation within one week of the scheduled session.  
However, substitute participants are welcomed at no extra cost.
- 3 The Organizer reserves the right to change the contents, date, time and webinar application of the training programme if necessary. In any case, the Organiser's liability shall be limited to a refund on the session fee paid only.
- 4 The copyright of the handout notes and seminar video are sole property of the BK Entrusty. No recording is permitted for any of this webinar session.
- 5 For any enquiry, please contact **Ms. Afiqah** at **03 - 2202 2866** or email to [afiqah@pam.org.my](mailto:afiqah@pam.org.my)

**Conferencing Instruction**

- Install Zoom Software on your device ie. PC/Laptop or Handphone.
- Sign up Zoom by email for a verification link to be forwarded to your email then. On receipt of verification email, click the link and follow the instruction.
- Test run the software, your device camera and audio are in operation prior to conference.
- Note: strong and stable internet network connection is prerequisite for a successful Zoom webinar conferencing.