

PRACTICAL CONSTRUCTION CONTRACT ADMINISTRATION/ MANAGEMENT (2024)

18 HALF-DAY WEBINAR SESSIONS

CPD Point for
each session
LAM – 1.5
BQSM – 2.0

Featuring PAM 2006/2018, JKR/PWD
(2010) and new CIDB Standard Form of
Contract for Building Works (2022 Edition)
with case law updates

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

Training topics include:

- S1: Architect's Client Brief – Development and Process
- S2: Effective Project and Value Management
- S3: Construction Contract Law Principles
- S4: Procurement Systems and Contractual Arrangements
- S5: Health & Safety at Works
- S6: Risk Management
- S7: Bonds and Insurances
- S8: Tender and Contract Documentation
- S9: Instructions and Variations
- S10: Payments, Final Account and CIPAA
- S11: Extension of Time
- S12: Loss and/or Expense
- S13: Completions, Non-Completion and Defects
- S14: Subcontracting
- S15: Building Information Modelling (BIM)
- S16: Certificate of Compliance and Completion – Statutory Requirements and Process
- S17: Contract Administration by Superintending Officer/Architect
- S18: Termination/Determination and Alternative Dispute Resolution

Jointly Organised by:



In Collaboration with:

BK AsiaPacific



Supported by:



OBJECTIVE

This specifically targeted training programme in construction contracts and technical knowledge with practical contractual administration and commercial management work underpinned by Trainers sharing their extensive work experience including over the past economic downturns/recessions.

PAM, RISM & LHCKL in collaboration with BK Entrusty have organised eighteen (18) comprehensive training sessions, covering pertinent contract administration/management aspects, including related case law updates with Q&A in each half-day session.

Each session is stand-alone (BK Entrusty 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 (2010) contracts. The latest Malaysian standard form of contract by Construction Industry Development Board (CIDB) published in 2022 and the international standard form of contract, New Engineering Contract (NEC) 4 are also featured/discussed in the relevant sessions.

TRAINING OUTLINE CONTENTS

- SESSION 1 (Saturday, 23 March 2024)**
Architect's Client Brief - Preparation & Process **
- What is an Architect's Client Brief?
 - Importance
 - Key Problems
 - How to solve?
 - Briefing Guidelines
 - Brief Checklist
 - Q&A

COMPLETED

- SESSION 2 (Saturday, 6 April 2024)**
Effective Project & Value Management
- Project Management
 - Contract Management
 - Administration
 - 12 Essential Elements
 - Value Management
 - VM Strategy
 - JKR Technology Implementation
 - VM - Value Managed Quality System
 - Q&A

COMPLETED

- SESSION 3 (Saturday, 20 April 2024)**
Construction Contract Law Principles
- Malaysian Legal System
 - Legal Aspects of Contract
 - Discharge of Contract
 - Remedies for Breach of Contracts & Torts
 - Damages
 - Specific Performance & Injunction
 - Rescission & Rectification via Tort
 - Particulars of Construction Contracts
 - Salient Provisions in Construction Contracts
 - Q&A

COMPLETED

- SESSION 6 (Saturday, 8 June 2024)**
Risk Management
- Definitions
 - Construction Characteristics and Problems
 - Construction Risks
 - Risks Categories/Classifications
 - Risks Management
 - Risks Appraisal and Management Process
 - Q&A

- SESSION 5 (Saturday, 25 May 2024)**
Health & Safety at Works**
- Universal Requirements
 - Hazard Recognition
 - Work at Heights
 - Scaffolds, Lifting, Machine Guarding, Elevating Work Platform, PPE and other
 - Attitude in Safety
 - Management commitment and expectations
 - Risk Assessment Method
 - Q&A

- SESSION 4 (Saturday, 11 May 2024)**
Procurement Systems & Contractual Arrangements
- Procurement Types
 - Procurement Selection
 - Contract Management
 - Selection Consideration
 - Contract Strategy and Selection
 - Q&A

COMPLETED

- SESSION 7 (Saturday, 22 June 2024)**
Bonds & Insurances
- Bonds & Guarantees
 - On-Demand Bond vs Performance Bond
 - Retention Sum
 - Insurance
 - Insurance Principle
 - Types of Insurance
 - Notification Procedure
 - Q&A

- SESSION 8 (Saturday, 13 July 2024)**
Tender & Contract Documentation**
- Tender Process and Procedures
 - Tender and Contract Documentation
 - Letter of Intent & Formation of Contract
 - Obligation and Liabilities of Contracting Parties
 - Q&A

- SESSION 9 (Saturday, 27 July 2024)**
Instructions & Variations
- Instructions
 - Verbal vs Written Instructions
 - Instruction to vary Contract Works
 - Scope of Variations
 - Valuation of Variations
 - Variation Claims
 - Variation Management
 - Q&A

- SESSION 12 (Saturday, 7 September 2024)**
Loss and/or Expense
- Claims and Damages
 - Notification
 - Grounds
 - Submission
 - Claims Documentation
 - Claim Evaluation
 - Head Office Overheads
 - Additional Preliminaries
 - Global Claim
 - Q&A

- SESSION 11 (Saturday, 24 August 2024)**
Extension of Time
- Delay Categories
 - Commencement, Progress & Completion
 - Delay Grounds/Events
 - Claim Procedures
 - Assessment
 - Concurrent & Culpable Delay
 - Work Programme
 - Expedition, Mitigation & Acceleration
 - Expert Evidence
 - Delay Analysis Methods
 - Q&A

- SESSION 10 (Saturday, 10 August 2024)**
Payments, Final Account & CIPAA
- Payment Claims, Valuation & Certification
 - Employer's Obligation to Pay
 - Set-Offs
 - Quantum Meruit
 - Fluctuations
 - Final Account
 - Effect of Interim & Final Certificate
 - Construction Industry Payment & Adjudication Act (CIPAA) 2012
 - Q&A

SESSION 13 (Saturday, 21 September 2024)

Completions, Non-Completion & Defects

- Practical Completion
- Sectional/Partial Completion
- Completion/Handover
- Non-Completion
- Patent and Latent Defects
- Outstanding/Non-compliant Works
- Practical Completion & Defects Liability Flowcharts
- Defects Management
- Q&A

SESSION 14 (Saturday, 5 October 2024)

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 15 (Saturday, 19 October 2024)

Building Information Modelling (BIM) – Application and Impact on Construction Industry **

- What is the Impact?
- What is BIM?
- Data Format, Management & Transmission Work Process
- BIM Standards (International & Local)
- Management BIM Protocols in Construction
- Application of BIM in Construction Case Study
- Q&A

SESSION 18 (Saturday, 7 December 2024)

Termination/Determination & Alternative Dispute Resolution

- Determination of Employment
- Termination of Contract
- Case Law
- Types of Dispute Resolution Methods
 - Traditional
 - Alternative Dispute Resolution (ADR)
- Dispute Resolution Procedures under Construction Contracts
- Q&A

SESSION 17 (Saturday, 23 November 2024)

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 16 (Saturday, 9 November 2024)

Certificate of Compliance & Completion – Statutory Requirements and Process **

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

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

SPEAKERS' PROFILE



Sr ONG HOCK TEK ("HT")

Arbitrator/Adjudicator/Mediator
CQS/Cert.Constr.PM/VM Practitioner/Master Trainer
BSc(1st Hons) MSc MBA DipM DiplCARB MIVMA MIVMM MMIM
FCI Arb FSI Arb FMI Arb FMS Adj FAIADR FCI OB FCInstCES
FRICS FRISM ICECA

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 SI Arb, 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 today. 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, from 2020 to 2022. From 2023, with addition of Lighthouse Club KL, the session for the said half day webinar was increased to 18-half day webinar module courses.



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, FSI Arb, FCI Arb

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 speakers for Session 1, 14, 16 and/or 17



Ir. VIJAY KUMAR PALANISAMY**

Experienced EHS Professional, Professional Engineer (BEM),
Registered Safety & Health Officer (JKKP), Corporate Member (MIEM), Certified
Lead Auditor ISO45001:2018 (IRCA), Incident Investigation Officer (IOSH)

Ir. Vijay is a Professional Engineer registered with BEM, a Safety & Health Officer registered with DOSH, a Corporate Member of the IEM, and an accredited ISO45001 lead auditor by IRCA, enabling better understanding pertaining to site complexities & in providing practical solutions from his diverse capabilities. He brings with him approximately 24 years of working experience in multiple roles across 11 countries from Asia, Europe, U.S.A, Africa, and Australia.

**speaker for
Session 5 on Health
& Safety at Works

He has demonstrated exceptional safety leadership and has contributed significantly towards successful project completions with excellent safety track records in the construction, energy, and O&G sectors, with more than 13 years of experience as a Safety Professional leading job sites with over 1,000 workers. He has actively collaborated with stakeholders to review project risks and has played a significant role in the development of safety innovations for risk mitigation at all the sites.

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

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

REGISTRATION

Webinar Saturday Session
9.30 am to 1.30 pm, with Q&A

	Fee (per Session)	Six Sessions (per Pax)	Twelve Sessions (per Pax)	All Eighteen Sessions (per Pax)
Member	RM125	RM700	RM1,300	RM1,800
Institution	RM150	RM800	RM1,500	RM2,100
Others	RM180	RM1000	RM1,800	RM2,400

NOT AVAILABLE

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

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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/vMKg331pmz3FB2sn7>

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)
Construction Industry Development Board (CIDB)	

NOTE:

- Registration is confirmed upon receipt of payment only.
- 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.
- The Organizer reserves the right to change the contents, date, time and webinar application of the training programme if necessary. In any case, the Organizer's liability shall be limited to a refund on the session fee paid only.
- The copyright of the handout notes and seminar video are sole property of the BK Entrust. No recording is permitted for any of this webinar session.
- For any enquiry, please contact **Ms. Anis / Ms. Fira** at 03 - 2202 2866 or email to ptpam@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.