



**The Singapore Contractors Association Ltd**

**SCAL Academy Pte Ltd**

# I-Day Seminar on **Effective Contract Management & Administration**

**5 JULY 2013 9.00am - 5.00pm**  
**Orchard Hotel, 442 Orchard Road**

## Introduction

Contract Management and Administration involves Overseeing Agreements made with Employers, Subcontractors and Suppliers. Managing and Administrating the Contracts Properly and Effectively is critically important in order to avoid Unnecessary Delays, Claims and Disputes which will eventually lead to Higher Construction Costs.

The Singapore Contractors Association Ltd together with SCAL Academy Pte Ltd is pleased to organize a full day seminar on "Effective Contract Management and Administration". The seminar will give a Comprehensive Understanding of the Terms and Conditions of a Contract, where Flexibility can be applied and where Risk is Probable in respect to Extension of Time, Variation Claims, Completion and Defects. This seminar will benefit anyone involved in the Management of Contracts both in Public and Private Sectors.

## Topics & Speakers

- Paper 1: What Constitute Substantial Completion?**  
Speaker : Mr Christopher Chuah, WongPartnership
- Paper 2: Extension of Time - How to Compute Extension of Time and what Model of Computation the Court Prefers**  
Speaker: Mr Derek Nelson, Hill International
- Paper 3: Managing Variation Claims – An Effective Contract Administration Approach**  
Speaker: Mr Khoo Sze Boon, Langdon & Seah Singapore Pte Ltd
- Paper 4: Defects – Real or Not?**  
Speaker: Ms Monica Neo, Chan Neo LLP
- Paper 5: Extension of Time vs Construction Acceleration – Pros and Cons**  
Speaker: Mr Michael Charlton, Charlton Martin Consultants Pte Ltd

*Guest-of-Honour*  
**Dr. John Keung, CEO, BCA**

## Target Audience

**Company Directors, Project Managers, Contract Manager, Engineers, Project Architects, Quantity Surveyors, Consultants, Lawyers**

Pending  
Accreditations  
PDU - 7 Units  
CET - 7 Hours

**SCAL / SLOTS Members**  
**\$235.40**  
**CIJC Members**  
**\$310.30**  
**Non-Member**  
**\$342.40**  
(inclusive of 7% GST)

**REGISTRATION FEE**

**For enquiries, please contact us at 6793 9020 or  
visit [www.scal-academy.com.sg](http://www.scal-academy.com.sg)**





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## I-Day Seminar on Effective Contract Management and Administration

### Seminar Outline

Time	Agenda
9:00 - 9:30	Registration
9:30 - 9:45	Welcome Speech by <i>Dr Ho Nyok Yong, President, SCAL</i>
9:45 - 10:00	Keynote Speech by Guest of Honour, <i>Dr John Keung, CEO, Building &amp; Construction Authority</i>
10:00 - 10:45	What Constitute Substantial Completion by <i>Mr Christopher Chuah, WongPartnership</i>
10:45 - 11:15	Tea Break
11:15 - 12:00	Extension of Time, How to Compute Extension of Time and What Model of Computation the Courts Preferred by <i>Mr Derek Nelson, Hill International</i>
12:00 - 12:30	Question and Answer
12:30 - 1:30	Lunch
1:30 - 2:15	Managing Variation Claims - An Effective Contract Administration Approach by <i>Mr Khoo Sze Boon, Langdon &amp; Seah Singapore</i>
2:15 - 3:00	Defects - Real or Not? by <i>Ms Monica Neo, Chan Neo LLP</i>
3:00 - 3:30	Tea Break
3:30 - 4:15	Extension of Time Vs Constructive Acceleration - Pros and Cons by <i>Mr Michael Charlton, Charlton Martin Consultants Pte Ltd</i>
4:15 - 4:45	Question and Answer
5:00	End





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## I-Day Seminar on Effective Contract Management and Administration

### Synopsis

#### Topics

##### What Constitute Substantial Completion?

'Substantial completion' is a typical expression used in construction contracts to mean that the works have reached a state of readiness for use with the exception of minor defects. Another similar expression is that of 'practical completion', which may be found in the JCT standard form. In this respect, the law traditionally draws a distinction between the state of the works at the time of handover from that at final completion. This lecture will explore the concepts of 'substantial completion' and 'practical completion', and highlight its practical implications. The lecturer will also address the role of the Architect in certification and how a dispute regarding the date of completion will be resolved by an arbitrator or a court."

##### Extension of Time, How to Compute Extension of Time and What Model of Computation the Courts Preferred

Forensic scheduling analysis refers to the study and investigation of events using CPM or other recognised schedule calculation methods for potential use in legal proceeding. It is the study of how actual events interacted in the context of a complex model for the purpose of understanding the significance of a specific deviation or series of deviations from some baseline model and their role in determining the sequence of tasks within the complex network. Forensic scheduling analysis, like many other technical fields, is both science and art. As such, it relies on professional judgment and expert opinion and usually requires many subjective decisions. The most important of these decisions is what technical approach should be used to measure or quantify delay and to identify affected activities to focus on causation, and how the analyst should apply the chosen method. This session will outline the principal approaches available to calculating EOT and discuss the degree of acceptance that each has received by the Courts.

##### Managing Variation Claims – An Effective Contract Administration Approach

Variation works to cater for changes in employer's requirements, site conditions and authorities' changes are unavoidable in every built environment projects. Effective Management of Variation Claims is crucial for every project from both the Employer's and Contractor's perspective. A poorly managed Variation Claim process results in unproductive and undesired outcome which is a ground for disputes. Understanding the contract provisions and having an effective contract administration framework established from the onset would be paramount to avoid disputes. This presentation will examine the key contract provisions from the standard contract forms on variation claims and discuss some effective and proactive contract administration framework to strengthen the management of variation claims. This framework help in establish a "win-win" partnership approach between the project team which in turn promotes better productivity which is an important agenda for the Built Environment Industry.

##### Defects – Real or Not?

What is the standard of care expected of contractors in general?  
Is there a difference in the standard in the case of a design and build contract?  
What constitute a defect? - tile tonality difference, glass impurities  
Relevancy of contractual terms, code of practice  
Defects vs Damage / Fair Wear & Tear - how to prove?

##### Extension of Time Vs Constructive Acceleration – Pros and Cons

Michael will deal with the Contractual position relating to whether or not a Contractor should, or whether he is entitled to accelerate the works where an Extension is not forthcoming in regard to a relevant event. He will cover the views expressed by various authorities and covered in different legal precedents on the topic. Also he will address the necessary records and information which ought to be kept if a Contractor is to maintain any entitlement to acceleration costs. Finally Michael will speak about the difference between Acceleration and Mitigation and the Contractual significance of each.

#### Speakers

##### Mr Christopher Chuah

Christopher graduated from the London School of Economics. He is admitted to the English Bar and to the Singapore Bar. Apart from a law degree, he has a Diploma in Surveying (Distinction) from the College of Estate Management, Reading, UK. Christopher is a legal advisor to the Singapore Contractors Association Limited ("SCAL"), as well as a member of the Committee for International Construction and Building Contracts. He is a Fellow of the Singapore Institute of Arbitrators and Chartered Institute of Arbitrators, as well as the Chartered Institute of Building. He has also been appointed to the Singapore International Arbitration Centre's Main Panel of Arbitrators.

##### Mr Derek Nelson

Derek Nelson is professionally and contractor trained as a Chartered Quantity and Civil Engineering Surveyor. His experience covers thirty years in the construction industry. Derek has extensive experience of working on high value, complex, power, process engineering and heavy civil engineering projects in addition to some challenging building projects. He specialises in the identification and management of contract and commercial risks, the preparation, negotiation and settlement of claims for disruption, acceleration and prolongation and in the investigation, assessment and settlement of such claims presented by others.

##### Mr Khoo Sze Boon

Sze Boon is currently an Executive Director in Langdon & Seah Singapore office (LS). He joined LS in 1999 and has progressed through the various appointments within the past years. He graduated from University of Technology, Sydney in Bachelor of Building in Construction Economics with 1st Class Honours & University Medal in 1999 and National University of Singapore with Master of Science in Project Management in 2003 and Graduate Certificate in International Arbitration in 2005. He has also completed the Advanced Management Programme jointly conducted by Singapore Management University (SMU) and Building & Construction Authority (BCA) in 2008. Sze Boon is a Fellow of the Singapore Institute of Surveyors & Valuers (SISV), Singapore Institution of Arbitration (SI Arb) and Member of the Royal Institute of Chartered Surveyors (RICS). Sze Boon is currently the 1st Vice President (Quantity Surveying Division) of the Singapore Institute of Surveyors & Valuers (SISV). He is also one of the young leaders with the BCA Built Environment Industry Young Leaders Program.

##### Ms Monica Neo

Monica is one of the few lawyers in Singapore that dedicated her practice solely on construction and construction-related matters. Indeed, since admission to the Singapore Bar in 1993, her focus has always been on construction law and she has acted as counsel in many construction cases both in courts, arbitrations, adjudications and all forms of dispute resolutions. She has also been appointed by the Singapore International Arbitration Centre (SIAC) and the Singapore Contractors Association Ltd (SCAL) as the sole arbitrator on construction disputes. She speaks regularly at building and construction law seminars and has authored and co-authored a number of books including "The Singapore Standard Form of Building Contract – An Annotation" (Lexis Nexis, 2000), "Construction Defects: Your Rights and Remedies" title of the Sweet & Maxwell's Law for Layman Series (2004), and the chapter on "Construction Contracts" in Law Relating to Specific Contracts in Singapore (Sweet & Maxwell 2008).

##### Mr Michael Charlton

Michael is a chartered quantity surveyor who has specialised in providing contractual advice for over twenty-eight years in the Asia Pacific region. He first came to Singapore in 1981, and then went to Hong Kong in 1985 where he established the business for a major contracts consultancy group and from there developed their businesses throughout Asia and Australia. He became Joint CEO with the group which was listed in the UK, before leaving in 2004 to establish his own company. Michael Charlton & Company Limited was established in 2005 and subsequently the Charlton Martin Group formed in 2007. Michael is Chairman of the Charlton Martin Group, he continues to act as lay advocate, representing parties in mediation and arbitration to provide contractual advice to the industry. Michael has been appointed as quantum expert and has given evidence at numerous arbitrations and litigations.





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## I-Day Seminar on Effective Contract Management and Administration

### Seminar Registration Form

Please complete the Registration Form and send the Completed form by E-mail or Fax to SCAL Academy before 28 June 2013. For further enquiries, please do not hesitate to contact:

Miss Tan Wei Xuan | Tel: 6793 9020 | Fax: 6795 2584 / 6793 4401 | Email: weixuan@scal.com.sg

#### Participants Information (Please type or Print Clearly in Capital Letters)

Name (Prof/Dr/Mr/Mrs/Miss/Mdm) : \_\_\_\_\_ NRIC/WP/FIN \_\_\_\_\_

Name (Prof/Dr/Mr/Mrs/Miss/Mdm) : \_\_\_\_\_ NRIC/WP/FIN \_\_\_\_\_

Name (Prof/Dr/Mr/Mrs/Miss/Mdm) : \_\_\_\_\_ NRIC/WP/FIN \_\_\_\_\_

Organisation / Institution: \_\_\_\_\_

Address: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Tel :(Office) \_\_\_\_\_ (Mobile) \_\_\_\_\_

Fax: \_\_\_\_\_ Email: \_\_\_\_\_

#### Seminar Registration Fees (Please tick the appropriate box)

SCAL/SLOTS Member  \$235.40

CIJC Member  \$310.30

Non-Member  \$342.40

Note: All rates quoted in Singapore Dollars (SGD). The registration fees include of 7% GST, Seminar Materials, Tea Break and Lunch.

#### Payment

By crossed cheque made payable to "SCAL Academy Pte Ltd" and send to SCAL Academy @ No 5 Jurong West Avenue 5, Singapore 649485. Please indicate for "Effective Contract Management and Administration" behind the cheque.

#### Terms and Conditions

- 1) Written Notice of Replacement or Withdrawal must be given at least 7 Days before the Seminar date with a penalty charge of 50% of the Seminar Registration Fees for withdrawal. For Any Replacement, \$50 will be charged per Participant Replacement.
- 2) There will not be any Refund or Credit on Fee Paid.
- 3) Speakers, Topics and Venue are correct at the time of Printing. SCAL reserve the right to substitute any of the Speakers, Cancel or Change the Content, Venue and Timing of the Conference.

\_\_\_\_\_  
Name / Authorized Signature / Designation

\_\_\_\_\_  
Company Stamp (if applicable)

\_\_\_\_\_  
Date