

GUJARAT TECHNOLOGICAL UNIVERSITY**M. E. - SEMESTER – II • EXAMINATION – SUMMER • 2013****Subject code: 1721403****Date: 03-06-2013****Subject Name: Construction Contract Management****Time: 10.30 am – 01.00 pm****Total Marks: 70****Instructions:**

1. Attempt all questions.
2. Make suitable assumptions wherever necessary.
3. Figures to the right indicate full marks.

- Q.1** (a) Discuss at length duties and liabilities of an Architect involved in a large construction projects. **07**
- (b) Give the list of contract documents to be prepared for a construction project. Explain following contract conditions in details with their importance: (1) Security deposit (2) Earnest Money Deposit **07**
- Q.2** (a) Discuss at length: Item rate contract and Percentage rate contract. **07**
- (b) Explain in detail: Essential elements of a valid contract. **07**
- OR**
- (b) Draft the contract clauses for the following: Extension of time, Sub-letting of work, Arbitration, Defect liability period, Liquidated damages, Monthly payment of bills, Works to be kept open for inspection. **07**
- Q.3** (a) Write short note on: Insurance and bonds in construction industry explaining their importance. **07**
- (b) Explain the rules for preparing neutral specifications for the construction projects. **07**
- OR**
- Q.3** (a) Explain the process of Arbitration in detail as per the new act 1996. How it is more preferable compared to court for dispute resolution of construction industry? **07**
- (b) Define the following terms: (ANY SEVEN) **07**
Global tender, Unbalanced tender, Agreement, Reference in Arbitration, E-tendering, Informal tender, Conciliation, ADR.
- Q.4** (a) What is meant by Reasoned award? Discuss the powers & duties of arbitral tribunal. **07**

- (b) Give the answers of the following: 07
- [1] When evaluating a claim for the late issue of instructions and/or drawings and the like, is it appropriate to assess delays against the contractor's programme or should the effect on the contractor/subcontractor's progress be yardstick?
- [2] May an employer levy liquidated damages if in the final analysis he suffers no loss as a result of the contractor's late completion?
- [3] Where an employer includes with the tender enquiry documents a site survey which proves misleading, can this be the basis of a claim by the contractor?
- [4] Can the employer go back from the rate approved by the Engineer whether provisional or final? If it is done so, what is the remedy available to the contractor?
- [5] Explain the importance of weekly site meetings and records of discussions held on site.
- [6] What is substantial performance of a contract?
- [7] What is frustration of a contract?

OR

- Q.4** (a) Differentiate between Arbitration act 1940 (Old act) and Arbitration act 1996 (New act) on major issues. 07
- (b) Draft a sample tender notice for construction of a Pharmaceutical factory having construction cost of Rs. 10 crores with a time limit of one and half years. Give the circumstances under which lowest tender can be rejected. 07

- Q.5** (a) Give the principles for interpretation of a contract. 07
- (b) How extra item is important for both contractor and client? Differentiate it from variations. 07

OR

- Q.5** (a) What is arbitral award? Explain its essential ingredients. 07
- (b) Explain following in detail: Cost plus sliding fee contract, Target contract. 07
