ADDIS COLLEGE

SCHOOL OF GRADUATE STUDIES

DEPARTMENT OF CONSTRUCTION TECHNOLOGY & MANAGEMENT

Advanced Construction Procurement and Contract Management

(COTM 6201);

Home Take Final Examination

Full Name: _____

ID: _____

Section: _____

Submission: Your Answer for this Home Take Final Examination shall be submitted to the Department via email (addisadvprocurement@gmail.com) on or before Tuesday, June 23, 2020: 6:00AM local time; No submission after this deadline shall be accepted by the Department;

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Advanced Construction Procurement and Contract Management

Home Take Final Examination 50%

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Information & Instructions

Exam

Date: Monday, June, 22, 2020

1. **This Home Take Final Examination has Two parts:**
   - **General Course Knowledge Examination 10 Questions; and**
   - **Case Study Examination 2 Questions;**
2. **Of course, the type of examination is Open Book; the student is allowed to refer to his/her course material; the relevant sources**
3. **Attempting the Home Take Final Exam in group is strictly forbidden;**
4. **Please, carefully read & comply with the instructions; Non-compliance with the instructions may reduce or may cause total loss of your evaluation point;**
5. **In case of Exam question Part I (Course Knowledge Exam Question), you are instructed to write your answer on the Examination paper itself;**
6. **In case of Part II (Case Study Exam Questions), you are instructed to write your answer on the Examination paper itself;**
7. **In case of Part I & Part II Examination Questions, your answer on the Examination paper has to be computer written; word format; bold; 12 font size and Times New Roman;**

Good Luck!

General Course Knowledge Examination (3 points each)

1. Explain about the capacities of Physical and Artificial Persons. Under what Conditions do physical and artificial persons lack capacities to conclude contract? Discuss.
2. What are issues that are necessary for a successful Procurement Management Phase?
3. As a procuring entity, to start the tendering phase we need to prepare invitation for tenderers, so if you are asked to prepare invitation for tenderers, what are the points to be clearly stated?
4. What would be the project delivery systems, if the client goal is to seek integrated delivery system & why?
5. Discuss the importance of payment provisions in the construction contract from the perspective of the Contractor;
6. What are the legal instruments used to entertain the issues between the contracting parties in construction contract or agreements?
7. What are the grounds to say contain consent is defective? Discuss with examples.
8. Imagine the absence of an Engineer in a given construction project, where the Project Delivery System is design-bid-build (DBB). What possible adverse contractual affects you might observe due to the absence of the Engineer in project supervision & contract administration?
9. As a procuring entity, to start the tendering phase we need to prepare invitation for tenderers, so if you are asked to prepare invitation for tenderers, what are the points to be clearly stated?

10. Suppose you are assigned as a procurement manager in a given construction project which is a public project, so try to answer the following questions.
    A. what is tender document and what are the things that should be included in a tender document?
    B. What are the factors to be considered in determining the least evaluated bidder?
    C. Discuss the importance contract negotiation before contract award.

Case Study Examination (10 points each)

Case Study 1:

- A Construction Management Consultant entered into a turnkey contract with a Contractor to design and construct a large storage warehouse by the River Side.
- The site information investigated by the Contractor showed 0.5 m of made up ground over 6 m of soft clay overlaying a thick layer of sandy gravel.
- A Foundation Report by the Geo-technical investigation team is driven precast concrete piles 8 m deep to the sandy gravel level.
- After the contract was made and before the piles are driven, the municipality river conservancy board approved flood protection works which would raise the bank level by 1.5 m. Accordingly; the Construction Management Consultant in consultation with the Employer provided a work order to raise the floor level of the warehouse by 1.65 m.

- The Contractor following the work order notified that the precast piles already ordered can not be lengthened and additional piles are required for additional negative skin friction induced by the rise of the bank level.
- The Construction Management Consultant responds that the foundation type was made by the contractor and that the valuation should be made by increasing the piling item prices pro rata and the design should have allowed the negative skin friction even for the 0.5 m fill originally recommended.

Questions:

- Identify possible effects of the case
- As a Contract Administration expert propose a viable advice if you are working in
    - The Construction Management Consultancy Office
    - The Contractor Company

Case Study 2:

The Employer was short of budget for five months, and two payment certificates were delayed for more than they should be due. Consequently, the contractor claimed **Time Extension and Employer's Default** and suspended work after giving notice prior to the Employer. The Employer then paid both the payments after five months and requested the continuation of the project. The contractor also requested for compromise to his earlier defaults with regard to his unjustified delay for four months and refused to continue the project before his request settles down.

Taking the above case into consideration, if you are;

1. The Consultant, what will be your action / decision?
2. The Employer, what will be your action / decision?
3. The Regulatory Body, what will be your action / decision?