

Overview

Identify a construction contract or a case-project that resulted in or involve a dispute.

- a. Explain the root causes of the dispute and discuss the dispute resolution method and procedures adopted in the project.
- b. Lastly evaluate and assess whether the resolution method adopted for the dispute was the most suitable.

Please note the following:

- You can make any reasonable assumptions.
- Separate projects or cases can be selected for Part A and B.

General Notes

The assignment comprises two components, a written professional report (25 marks) and an oral presentation (15 marks). You are required to write a fully referenced and well-structured professional report on your chosen topic and to make an oral presentation on your report.

The sources of information that you use for your presentation are your written professional report.

Professional Report (25 marks)

The submission must be a professionally written report. The report should be AT LEAST 2,000 words in length (excluding references and appendices). **Page numbers** are mandatory. The use of illustrations such as **figures** and **tables**, and other **graphical information** is encouraged to aid in your explanation and enliven your writing as well as to aid in the assessors understanding of the report. You should also use **headings** (including main and subheadings) where appropriate to effectively structure and organize the various sections of your report. The words you choose for the **main** and **sub-headings** should be able to succinctly reflect what you are trying to express in the various sections of the report.

Remember, the report must be written **in the third person and a logical and systemic format**, which can be easily understood for assessment. Referencing correctly is equally important. Your report does not have to be overly referenced. However, the source of the information referred to in your report should be made clear. You must adopt the **Harvard style** for referencing. The report should be in a PDF or Word format and submitted electronically through Turnitin by the due date and time.

PowerPoint Presentation (15 marks)

Presentations are in PowerPoint format. Each student will have ten minutes to present.

Resources:

Refer to Learning Resources

Marking Criteria:

CRITERIA/SCALE	Exemplary (5)	Proficient (4)	Developing (3)	Emerging (2)	Not Present (1)
Content Knowledge <i>(Understand the task)</i> (50% MARKS)	The writers demonstrate outstanding understanding and content knowledge beyond the scope required by the assignment task; Figures/tables used to assist in demonstration	The writers demonstrate sound basic knowledge and understanding of the relevant area. Some figures/tables used to assist in demonstration.	The writers show some knowledge of the topic area and provide few details in a somewhat organized manner.	The writers show little evidence of knowing the relevant content. and identifies the main idea or problem poorly with few or no details.	Does not identify the problem and provide no idea
Academic Discourse Skills <i>(Logical sequence of arriving at an answer)</i> (25 MARKS)	There is a clear logical and reasonable arguments and justifications included; with the points well ordered, structured and fully supported. It responds appropriately to assignment tasks.	Some arguments and justifications included. The answer responds more or less to assignment tasks. The use of supporting evidence, illustration and argument is relevant but not necessarily sufficient.	The argument does not progress smoothly. Main points and supporting material are not clearly distinguished from each other.	The ideas or facts presented have little apparent relation to each other or to the question asked. Does not provide proper solution.	Does not have any logical sequence

Basic Language Skills <i>(Usage of language and vocabulary)</i> (15 MARKS)	Pleasingly varied range of sentence structure. Vocabulary, spelling and grammar used exceptionally well.	Good range of sentence structure. Vocabulary, spelling and grammar contain a number of minor errors.	The range of sentences expressed correctly is limited. Errors in vocabulary, word formation, spelling and grammar cause difficulty for the reader.	Errors in sentence structure, vocabulary, spelling grammar, word formation predominate-hence preventing accurate communication.	Usage of language is extremely poor
Report Writing Skills and Structure (10 MARKS)	The report's intent is clearly communicated. Good structures and format. Logical headings. If there are any mistakes, they do not interfere with the meaning.	The report's intent is clearly communicated for the most part. Clear structures are evident.	There are some difficulties in understanding the intent of the report, although there are signs of meaning breaking through.	The intent of the report is difficult to understand.	The report is extremely difficult to understand

Assessment Outline

Report structure

- **Introduction:** introduce the purpose and the report content very briefly, the project scenario you select
- **Main Body (could carry different headings based on your themes of study)**
- **Conclusion:** very brief summary
- **References** (as per APA Referencing method, in-text references)
- **Appendices** numbered (if any)



Please refer to “**TIPS ON Report Writing**”.

Readings and Resources

Essential Reading

Davenport, P & Durham, H 2013, *Construction claims*, 3rd edn, Federation Press, Annandale, NSW.

Hibberd, PR & Newman, P 1999, *ADR and adjudication in construction disputes*, Blackwell Science, Oxford.

Netscher, P 2016, *Construction claims : a short guide for contractors*, Panet Publications, Subiaco, Western Australia

Puil, JVD & Weele, AJV 2014, *International contracting contract management in complex construction projects*, Imperial College Press, London.

Sourdin, T 2016, *Alternative dispute resolution*, 5th edn, Thomson Reuters Professional Australia Ltd, Rozelle, NSW

Whitticks, E 2013, *Construction Contracts*, Elsevier Science, Burlington.

Recommended Readings

Ashworth, A & Perera, S 2018, *Contractual Procedures in the Construction Industry*, 7th edn, Routledge, Milton.
Fédération Internationale des Ingénieurs-Conseils (FIDIC) (ed.) 2017, *Conditions of Contract for Construction*, 2nd edn, International Federation of Consulting Engineers, Geneva, <<http://fidic.org/books/construction-contract-2nd-ed-2017-red-book>>.

Fédération Internationale des Ingénieurs-Conseils (FIDIC) (ed.) 2017, *Conditions of Contract for Plant & Design-Build*, 2nd edn, International Federation of Consulting Engineers, Geneva, <<http://fidic.org/books/plant-and-design-build-contract-2nd-ed-2017-yellow-book>>.

Fédération Internationale des Ingénieurs-Conseils (FIDIC) 2017, *Conditions of Contract for EPC Turnkey Projects*, 2nd edn, International Federation of Consulting Engineers, Geneva.

Joint Contracts Tribunal 2016, *Design and Build Contract (DB)*, Thomson Reuters London.

NEC Contracts 2019, *NEC4. Engineering and construction contract*, 4th amended edn, NEC, London.

NSW Government ProcurePoint n.d., *GC21 Edition 2*, State of New South Wales, <<https://www.procurepoint.nsw.gov.au/before-you-buy/construction/construction-contracts/gc21-edition-2>>.

Standards Australia Online 1997, *General conditions of contract*, AS 4000-1997, amended 30 March 2005, SAI Global database.