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DEVELOPMENT OF AN APPROPRIATE CONDITIONS OF CONTRACT FOR MAJOR CIVIL ENGINEERING WORKS

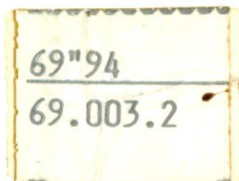
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By

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THE THESIS SUBMITTED IN PARTIAL FULFILLMENT
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THE FACULTY OF ENGINEERING

DEPARTMENT OF CIVIL ENGINEERING

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We accept this thesis as conforming to the required standard.

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ABSTRACT



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ABSTRACT

The objective of this research project is to develop a new Conditions of Contract suitable for major civil engineering works, appropriate to the local conditions. Works having estimated value of more than Rs.100 millions have been considered as 'major works'. Although the focus is on major works, the document developed is equally applicable to small and medium scale civil engineering works, with minor modifications.

At present the local construction industry, particularly the civil engineering sector is handicapped by the non-availability of an upto date and appropriate Conditions of Contract. The government has made mandatory in the state sector, the use of the document CONDITIONS OF CONTRACT FOR WORKS OF BUILDING & CIVIL ENGINEERING - SRI LANKA, produced by the Institute for Construction Training and Development, commonly known as the 'ICTAD Conditions'. The ICTAD Conditions of Contract is a document far from perfect and there is a plenty of scope for improvements. Furthermore the ICTAD Conditions attempt to encompass both building construction and civil engineering sectors into a single document which is not a desirable approach, given the diversity of practices and traditions prevailing in the two sectors. Use of a single document to cover the whole gamut of construction activities has been long abandoned in the international construction scene, in favour of specialised documents to cater for each sector.

The Conditions of Contract developed as the outcome of this research, is generally based on the Fourth edition of 'CONDITIONS OF CONTRACT FOR WORKS OF CIVIL ENGINEERING CONSTRUCTION' (Reprinted in 1992 with editorial amendments) produced by Fédération Internationale des Ingénieurs-Conseils (FIDIC). This document has been endorsed by most international development and financial institutions including the World Bank. Recent developments and trends in the international construction scene have been taken cognizance of, in the development of the new Conditions of Contract.

A literature survey was carried out, and views and suggestions of senior engineers representing Employers, Engineers and Contractors were elicited by means of a questionnaire and interviews. Furthermore Conditions of Contracts drawn up for several major construction projects in Sri Lanka were analysed. Each clause of the FIDIC document was analysed and amendments have been proposed where necessary.

The proposed Conditions of Contract would contribute to the successful completion of civil engineering projects by establishing a fair and just contract, in line with modern international practice.