



JARAMOGI OGINGA ODINGA UNIVERSITY OF SCIENCE AND TECHNOLOGY

SCHOOL OF ENGINEERING AND TECHNOLOGY

UNIVERSITY EXAMINATIONS FOR THE DEGREE OF SCIENCE IN:

CONSTRUCTION MANAGEMENT

2020/ 2021 ACADEMIC YEAR

CENTRE: MAIN CAMPUS

COURSE CODE: TCB 1402

COURSE TITLE: CONSTRUCTION CONTRACT ADMINISTRATION

EXAM VENUE: STREAM: B.Sc IN CONSTRUCTION MANAGEMENT

DATE: EXAM SESSION:

DURATION: 2HOURS

Instructions

- 1. Answer question 1 (compulsory) and ANY other two questions**
- 2. Candidates are advised not to write on question paper**
- 3. Candidates must hand their answer booklets to the invigilator while in the examination room**

QUESTION ONE (30MARKS)

- a) Define the following phrases commonly applied in construction contract administration **(10marks)**
- i. Selective tendering
 - ii. Bid security
 - iii. Prime cost sum
 - iv. Rescission
 - v. Unliquidated damages
- b)
- i. Explain what privity of contract entails citing an illustration as it is applied in construction contracts involving project manager, main contractor, sub-contractor and client **(4marks)**
 - ii. Briefly discuss circumstances under which a project manager can operate as an agent and a certifier **(4marks)**
- c) i. Explain the term “specific performance” as applied in the administration of construction contracts in the discharge of contracts **(2marks)**.
- ii. Under what circumstances can specific performance be applied in discharge of construction constructs **(2marks)**.
- d) i. Briefly explain standard form of contract as applied in contract administration of construction projects **(2marks)**.
- ii. State three commonly used standard forms of contract and the the scenarios under which they are applied **(6marks)**.

QUESTION THREE (20MARKS)

Ms Green Construction Company limited has entered into an agreement with Ms Enterprise limited to construct for them office buildings. The form of contract adopted is the Joint Building Council (JBC) issued by the Architectural Association of Kenya.

- a. As a project Manager, explain to your client five circumstances under which the contract time can be extended **(10marks)**
- b. Advise your client on the circumstances the contract can be voidable **(10marks)**

QUESTION FOUR (20MARKS)

The National Construction Authority (NCA) was established in 2012 through an act of parliament to regulate the construction industry in Kenya.

- a. Discuss the functions assigned to the NCA to enable it improve quality in construction sites **(12marks)**.
- b. Explain the nature of disciplinary actions that the NCA could institute against a contractor who has engaged in misconduct**(8marks)**

QUESTION FOUR (20MARKS)

You have been appointed a Project Manager for proposed hostels at Jaramogi Oginga Odinga University for Science and Technology (JOOUST).

- a. Advise the Vice Chancellor on the most appropriate form of contract **(2marks)**.
- b. List set of tender documents appropriate for this project **(8marks)**.
- c. Draft a tender acceptance letter for the signature of the Vice Chancellor addressed to M/s Steel Construction Company Ltd. of P.O. Box 4040, Bondo for a contract price of Kshs 100,000,000.00 **(10marks)**.

QUESTION FIVE (20MARKS)

- a. Briefly discuss five common alternative dispute resolution mechanisms in the construction industry **(10marks)**
- b. Discuss provisions for resolving disputes in construction under Joint Building Council and MDB Harmonized FIDIC forms of contracts **(10marks)**