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## THE MURRAY & ROBERTS CHAIR FOR CONSTRUCTION ENGINEERING AND MANAGEMENT

SHORT COURSE

# CONSTRUCTION CONTRACT LAW

Block 1 - 25 - 27 August 2014 (3 CPD Points) and Block 2 - 23 & 24 October 2014 (2 CPD Points)

### COURSE DESCRIPTION

A short course on **Construction Contract Law** will be presented at the Murray & Roberts Chair in Construction Engineering and Management at the Department of Civil Engineering at Stellenbosch University. The course is offered in two blocks of two and three days respectively from **25 - 27 August**, and on **23 & 24 October 2014**. Participants may register for either of block one or two, or for both blocks. **CPD points** will be awarded for attending.

**Objective:** The course demonstrates the place of contracts in the construction environment and aims to provide delegates with a comprehension of the principles which form the basis of standard construction contracts. It addresses the role of contracts in allocating risk on a project. The course addresses dispute prevention and dispute resolution, and includes a section on claim formulation and claim evaluation. It provides the contracts manager with insight to understand contractual relationships and how these are achieved through standard contracts. The emphasis is on developing contractual relationships, rather than a detailed coverage of individual clauses in standard contracts.

**Participants:** The course is aimed at persons in the construction industry who need a firm comprehension of construction contracts and the role thereof in the successful execution of projects. Representatives from client organization, consultants and construction firms will all benefit from the course.

#### Course content:

- Contract law : Introduction to and principles of contract law
- Contracts in the construction environment with specific reference to the implication of contract law and its application in standard construction contracts.
- Specific conditions of guarantees (performance and payment guarantees) and insurance.
- The application will include aspects of risk and allocation
- Intention and standard types of construction contracts including an overview of the local standard contracts (GCC and JBCC) and international contracts (NEC)
- Dispute prevention and resolution.
- Formulation and evaluation of claims.
- Management and administration of contracts, including dealing with change.
- Performance guarantees and applicable case studies.
- Specific conditions of insurance.

#### Course presenters:

- Prof Charl Hugo: Professor at the University of Johannesburg and extraordinary professor at the University of the North-West and Stellenbosch University; practicing advocate and member of the Cape bar (December 2005-August 2013).
- Mr Hannes Marais: PrEng, Lead: Environment and Infrastructure, The Saldanha Bay IDZ Licensing Company (Pty)Ltd

# CONSTRUCTION CONTRACT LAW

## COURSE INFORMATION

<b>Date</b>	Monday 25 August 2014 - Wednesday 27 August 2014 (3 days)(Block 1) Thursday 23 October 2014 & Friday 24 October 2014 (2 days)(Block 2) Registration : 08:00 – 08:30 on 25 August 2014 (Block 1) & 23 October 2014 (Block 2)
<b>Time</b>	From 08:30 to 17:00 Daily with a light lunch and tea/coffee breaks
<b>Place</b>	Room S202, Civil Engineering Building, University of Stellenbosch Faculty of Engineering, Building for Civil (and Electronic & Electrical) Engineering, access from Bosman Street, Stellenbosch (Route map available on request)
<b>Course Fee</b>	R8 700/delegate - Full course R5 500/delegate – Block 1 only R3 700/delegate – Block 2 only A discount of 10% per person is offered, if more than 1 delegate per company attend <b>(Transport &amp; Accommodation:- Own arrangement) (Info available upon request)</b> R1 000.00 / SU Postgraduate students in C E Management . (Block 1 & 2) R1 250.00 / Stellenbosch University Postgraduate student (Block 1 & 2) <i>Attendance of both blocks of the course is compulsory to the students if used as a sub-module.</i> (Fee includes light lunch, tea/coffee and course notes).
<b>Postal Address</b>	Department of Civil Engineering, c/o H Bosman (S365a), University of Stellenbosch, Private Bag X1, Matieland 7602
<b>Website</b>	<a href="http://www.civeng.sun.ac.za">www.civeng.sun.ac.za</a>
<b>Enquiries</b>	Prof J A Wium Tel: 021 808 4348, Fax: 0865815756, <a href="mailto:janw@sun.ac.za">janw@sun.ac.za</a> Ms Hesmarie Bosman Tel: 021 808 4131, Fax: 0865815756, <a href="mailto:hiesmarieb@sun.ac.za">hiesmarieb@sun.ac.za</a>

## PROGRAM

### Block 1

25 - 27 August 2014

Date	Time	Lecture Topic	Lecturer
25 August	08h00	Registration	
	08h30	Introduction	J A Wium*
	08h40	Construction law within the broad context of the South African law	Charl Hugo**
	10h20	Tea/Coffee	
	10h45	The construction contract within the context of the South African law of contract	Charl Hugo**
	12h35	Lunch	
	13h15	The construction contract within the context of the South African law of contract	Charl Hugo**
	14h15	Contracts in the construction environment and its application in standard contracts	Hannes Marais
	15h05	Tea/coffee	
	15h35	Contracts in the construction environment and its application in standard contracts	Hannes Marais
	16h30	Closure	

26 August	08h30	Intention of Construction Contracts	Hannes Marais
	10h20	Tea/coffee	
	10h45	Dispute resolution within the construction industry	Charl Hugo**
	12h35	Lunch	
	13h15	Dispute prevention for all parties :Collaboration	Hannes Marais
	15h05	Tea/coffee	
	15h35 16h30	Types of Contracts and Standard Forms of Contract	Hannes Marais
27August	08h30	Construction Risk and Risk Apportionment	Hannes Marais
	10h20	Tea/coffee	
	10h45	Conditions of contract	Hannes Marais
	12h35	Lunch	
	13h30	Management and Administration of Construction Contracts	Hannes Marais
	15h20	Tea/coffee	
	15h45 16h45	Group work session	Hannes Marais

\*\* University of Johannesburg

\* Stellenbosch University

### Block 2:

20 & 21 October 2014

Date	Time	Lecture topic	Lecturer
23 October	08h00	Registration	
	08h30	Introduction	Jan Wium *
	08h40	An overview of construction contracts in South African law	Charl Hugo**
	10h20	Tea/Coffee	
	10h45	Dealing with change in construction contracts	Hannes Marais
	12h35	Lunch	
	13h15	Construction claims: What instigate claims	Hannes Marais
	15h05	Tea/coffee	
	15h35- 16h30	Claims prevention in construction	Hannes Marais
24 October	08h30	Formulation and presentation of claims	Hannes Marais
	10h20	Tea/Coffee	
	10h45	Construction guarantees	Charl Hugo**
	12h35	Lunch	
	13h15	Construction guarantees: recent case studies	Charl Hugo**
	14h15	General principles of insurance law relevant to construction risks	Charl Hugo**
	15h05	Tea/coffee	
	15h35- 16h15	Provisions of standard form building and construction contracts against the background of the South African law of insurance	Charl Hugo**

\*\* University of Johannesburg

\* Stellenbosch University

# REGISTRATION FORM

**COURSE: CONSTRUCTION CONTRACT LAW**

Monday 25 August - Wednesday 27 August 2014 (3 days)(Block 1)  
 Thursday 23 October & Friday 24 October 2014 (2 days)(Block 2)

**TO REGISTER / :** Kindly complete this registration form and return to the Department of Civil Engineering attention

**ENQUIRIES** Hesmarie Bosman. 021 808 4131

Scan and e-mail to [hesmarieb@sun.ac.za](mailto:hesmarieb@sun.ac.za) or fax to 086 5815756

- ◆ Upon receipt of a signed registration form, an invoice will be issued for the relevant course fee and faxed to the participant.
- ◆ The course fee may be paid electronically or by direct bank deposit (banking details are provided on invoice).
  - Please state invoice and debtor's number when making payment.
  - Forward proof of payment.
- ◆ Please make cheques payable to the **Stellenbosch University**.

**COURSE FEE:** R8 700.00 / Delegate Full course (Including light lunch, tea/coffee, and course notes)  
 R7 830.00 / Delegate Full course (If more than one delegate from the same company attends)  
 R5 500.00 / Delegate Block 1 only (Including light lunch, tea/coffee and course notes)  
 R4 950.00 / Delegate Block 1 only (If more than one delegate from the same company attends)  
 R3 700.00 / Delegate Block 2 only (Including light lunch, tea/coffee, and course notes)  
 R3 330.00/ Delegate Block 2 only (If more than one delegate from the same company attends)  
 R1 000.00 / Registered C E Management student at SU (Light lunch, tea/coffee and course notes)  
 R1 250.00 / Registered MSc/MEng student at SU (Light lunch, tea/coffee and course notes)

**CLOSING DATE FOR REGISTRATIONS: FRIDAY, 15 AUGUST 2014** (10% penalty for late registration)

**CANCELLATIONS:** Cancellations will be accepted in writing with a 12% penalty (Admin fee already paid to US financial dept) up to 7 working days prior to commencement of the course. Thereafter a cancellation fee of 35% of the course fee would be applicable.

*Field in blue compulsory!*

PERSONAL DETAILS										
Title:		Surname:			Full Names:			ID:		
Qualification	Highest:	Year Achieved:	Institution:				Field:			
Tel:					Fax:					
Cell:					Email:					
COMPANY DETAILS										
Company Name:										
Postal Address:					Office Address:					
ATTENDANCE & PAYMENT DETAILS: For non-degree purposes (Draw a line through the options which do not apply)										
Attendance of full course including light lunch, tea/coffee and course notes:					R8 700/delegate R5 500/ delegate Block 1 only R3 700/delegate Block 2 only			R7 830/delegate 2 or more/ company R4 950/delegate Block 1 only (2 or more) R3 700/delegate Block 2 only (2 or more)		
In whose name should the invoice be issued:					Company		Attendant			
Please specify any special dietary requirements:										
ATTENDANCE & PAYMENT DETAILS: For degree purposes (Registered Postgraduate Students only)(Block 1 & 2)										
Student Number		Postgraduate Programme			Dept		Block 1		Block 2	

**I have read and I agree to the conditions of registration as stipulated above.**

Signature: \_\_\_\_\_

Date: \_\_\_\_\_