



## BK SURCO TRAINING

presents a series of

### COMMERCIAL AND CONTRACT MANAGEMENT TRAINING SEMINARS AND WORKSHOPS

for

### CONSTRUCTION PROFESSIONALS

March to April 2011



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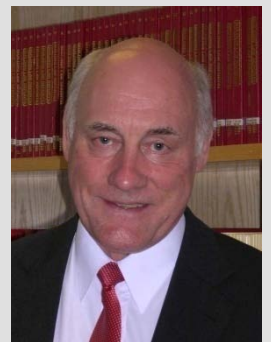
BK SURCO Training is an incorporated joint venture between Battersby Kingsfield Limited, the Hong Kong based operating company of the BK Asia Pacific Group, providing Project Management, Commercial and Contract Management Services to the Hong Kong and International Construction Industries, and SURCO Ltd, the information business of the Chartered Institution of Civil Engineering Surveyors.

BK SURCO Training was founded to provide commercial training resources, advice and help for employers of construction personnel, especially those working in civil engineering, and for individuals engaged in commercial activities within the industry.

BK SURCO Training combines the experience of SURCO Training's experience of providing training advice and structured training programmes for many leading construction companies and employers of engineering services and public seminars in the United Kingdom over many years and the experience of BKAsiaPacific in providing commercial and contract management training in Hong Kong and internationally in China, France, India, Japan, Malaysia, Philippines, Singapore, Thailand and Vietnam.

## Training from Experts – Tutors

**John Battersby** is a Quantity Surveyor by profession having worked in the construction industry for 44 years, 28 years of which have been spent working on projects in Hong Kong, China and South East Asia. He is a Fellow of the Chartered Institute of Building, Hong Kong Institute of Construction Managers, Chartered Institution of Civil Engineering Surveyors, Chartered Institute of Arbitrators and Hong Kong Institute of Arbitrators and a Member of the Royal Institution of Chartered Surveyors and Hong Kong Institute of Surveyors. John has acted as an expert witness several times, both in arbitration and litigation, in respect of additional cost/loss and expense/damages claims, measurement issues, adjustment of rates, valuation of variations and causes and effects of delays to construction works. He has acted both as party appointed and "single joint expert" (or "tribunal expert"). He is a Practising Member of the Academy of Experts and accredited by the Academy as an Expert. He has also been appointed as Arbitrator, Assessor, Mediator and Dispute Resolution Advisor several times.



**Nicholas Seymour** is a Chartered Quantity Surveyor who has had over 38 years working experience in the construction industry. He specializes in the provision of commercial, contracts and claims avoidance advice during the tender/pre-contract stages for building and civil engineering projects and the provision of commercial, contracts, dispute resolution advice and expert services during the post contract stage including advice and assistance regarding mediation, arbitration and litigation. Nicholas is a Fellow of the Royal Institution of Chartered Surveyors, Fellow of the Chartered Institute of Arbitrators, Fellow of the Hong Kong Institute of Arbitrators, Fellow of the Chartered Institution of Civil Engineering Surveyors and holds a MSc in Construction Law and Arbitration and is a CEDR Accredited Mediator. Nicholas is a council member and past Chairman of the Society of Construction Law Hong Kong and the past Chairman of the Construction Committee of the Hong Kong Mediation Council.

**Louise Popplewell** is a Chartered Quantity Surveyor by profession, and has worked in the construction industry for 35 years, being based in Hong Kong for the past 30 years, employed with both contractors and consultants. She is a Fellow of the Royal Institution of Chartered Surveyors, the Hong Kong Institute of Surveyors, the Chartered Institute of Arbitrators, and a Registered Professional Surveyor. She is also an Accredited Mediator and Assessor for the Hong Kong International Arbitration Centre. Louise has specialised in dispute resolution in the past 12 years representing clients in arbitrations and mediations, as well as providing contractual and expert advice. She has been appointed as expert witness on several occasions, and acts as mediator. She is an experienced training presenter, a mediation coach and is a well-known local speaker.



**Julian Eynon-Lewis** is a lawyer and quantity surveyor and has worked as both in the Construction and Engineering industry and related fields for more than 15 years. He has advised employers, contractors, consultants, insurers on a wide variety of contentious and non-contentious project work, including the drafting of contracts, arbitration and litigation. Julian is a member of the Chartered Institution of Civil Engineering Surveyors and the Society of Construction Law Hong Kong.

## Commercial and Contract Management Training Seminars and Workshops for Construction Professionals

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## Bonds, Guarantees, Collateral Warranties & Letters of Credit

<b>Duration</b>	Half day
<b>Aims</b>	<p>To give participants the opportunity of:</p> <ul style="list-style-type: none"> <li>• furthering their knowledge of the purpose and use of bonds, guarantees, collateral warranties and Letters of Credit in the construction industry</li> <li>• understanding the principles behind the use of bonds, guarantees and collateral warranties, how to recognize the different agreements and some of the pitfalls to look out for</li> <li>• understanding the principles behind the use of Letters of Credit, their advantages and disadvantages</li> </ul>
<b>Coverage</b>	<ul style="list-style-type: none"> <li>• Lectures: <ul style="list-style-type: none"> <li>– types of bond and guarantee and how they work</li> <li>– common types of bond and guarantee including On-demand and Conditional bonds</li> <li>– calling of bonds</li> <li>– importance of wording of bonds and guarantees</li> <li>– review of typical forms of bonds and guarantees</li> <li>– reasons for use of Collateral Warranties in the construction industry</li> <li>– how collateral warranties work</li> <li>– points to consider when preparing a collateral warranty and review of typical form of warranty</li> <li>– purpose of Letters of Credit and how they work</li> <li>– review of typical form of Letters of Credit</li> <li>– risks of using Letters of Credit</li> </ul> </li> <li>• Questions and Answers</li> </ul>
<b>Who should attend</b>	<p>All architects, builders, engineers, surveyors, commercial managers, administrators, contractors and sub-contractors involved with project documentation and the management of risk.</p> <p>Any other professionals that advise clients on such issues.</p>

## BQ Problems on Government Civil Engineering Contracts

<b>Duration</b>	Half day
<b>Aims</b>	<p>To give participants the opportunity of:</p> <ul style="list-style-type: none"> <li>• furthering their knowledge of the purpose of the BQ, its status under the Contract, problems that can arise from its poor preparation and the contractual provisions for resolving such problems</li> <li>• receiving advice on how problems associated with the BQ can be avoided</li> <li>• actively participating in questioning and discussion, by reference to real life case study, how such problems should be resolved</li> </ul>
<b>Coverage</b>	<ul style="list-style-type: none"> <li>• Lectures: <ul style="list-style-type: none"> <li>– introduction to BQ</li> <li>– purpose of BQ</li> <li>– status of BQ under the Contract</li> <li>– ambiguities and discrepancies</li> <li>– errors in descriptions</li> <li>– omitted items</li> <li>– errors in quantities</li> <li>– Standard Method of Measurement ("SMM")</li> </ul> </li> <li>• Case Study: <ul style="list-style-type: none"> <li>– dispute as to method of measurement of pipes</li> </ul> </li> <li>• Advice: <ul style="list-style-type: none"> <li>– best practice for preparing BQ to avoid problems</li> <li>– best practice for overcoming time constraints, lack of design information and lack of site investigation information</li> </ul> </li> </ul>
<b>Who should attend</b>	<p>Contractors'</p> <ul style="list-style-type: none"> <li>• commercial managers / quantity surveyors</li> </ul> <p>and those involved in contract administration on behalf of consulting engineers and government departments and</p> <ul style="list-style-type: none"> <li>• lawyers</li> </ul> <p>who are involved in advising clients on claims in respect of errors in BQs and omissions therefrom</p>

## Dispute Resolution

<b>Duration</b>	Half day
<b>Aims</b>	<p>To give participants the opportunity of:</p> <ul style="list-style-type: none"> <li>• furthering their knowledge of the different forms of dispute resolution</li> <li>• considering the advantages and disadvantages of each of the alternative methods of dispute resolution as they are practiced in the construction industry</li> <li>• receiving advice on how to develop bespoke dispute resolution solutions to suit the varied nature and size of construction disputes with the object of saving time and costs</li> </ul>
<b>Coverage</b>	<ul style="list-style-type: none"> <li>• Lectures: <ul style="list-style-type: none"> <li>– Introduction to alternative methods of dispute resolution</li> <li>– Arbitration</li> <li>– Mediation</li> <li>– Adjudication</li> <li>– Dispute settlement provisions in standard contracts</li> <li>– Combining ADR techniques (including use of Dispute Resolution Advisor)</li> </ul> </li> <li>• Questions and Advice</li> </ul>
<b>Who should attend</b>	<p>All architects, engineers, quantity surveyors and others who have become involved in construction disputes on behalf of:</p> <ul style="list-style-type: none"> <li>• architectural and engineering consultants</li> <li>• employers and government departments</li> <li>• contractors and sub-contractors</li> </ul> <p>and their</p> <ul style="list-style-type: none"> <li>• lawyers</li> </ul> <p>who wish to consider more practical, amicable and cost effective dispute resolution solutions</p>

## The DRA In Action

<b>Duration</b>	Half day
<b>Aims</b>	<p>To give participants the opportunity of:</p> <ul style="list-style-type: none"> <li>• getting to know and understanding the DRA System through DRA Briefing Meeting</li> <li>• furthering their knowledge on how solutions can be found to complex commercial and contractual problems through the assistance of the DRA</li> <li>• actively participating in questioning and discussing the application of the Contract requirements to the commercial and contractual problems to be resolved</li> <li>• participating in practical “hands on” negotiations between Contractor, Engineer and Employer in respect of various commercial and contractual issues to seek a resolution of those issues</li> </ul>
<b>Coverage</b>	<p>Participants will each have the opportunity of playing the role of Contractor's, Engineer's and Employer's representatives in small groups in dealing with two separate scenarios in which potential disputes have arisen from:</p> <ul style="list-style-type: none"> <li>• whether or not interim payment should be certified for additional work for which no instruction under GCC60 has been issued nor substantiation of costs provided</li> <li>• whether or not the Contractor should be paid for standing time while waiting for a change in design to be issued as a result of unforeseen ground conditions for which no notice under GCC64(2) has been served</li> </ul>
<b>Who should attend</b>	<p>Contractors'</p> <ul style="list-style-type: none"> <li>• project managers</li> <li>• commercial managers</li> <li>• senior quantity surveyors</li> </ul> <p>Government's</p> <ul style="list-style-type: none"> <li>• project managers</li> <li>• senior engineers</li> <li>• senior quantity surveyors</li> </ul> <p>and Consulting Engineers'</p> <ul style="list-style-type: none"> <li>• project managers</li> <li>• senior resident engineers</li> <li>• resident engineers</li> <li>• senior quantity surveyors</li> </ul>

## Extensions of Time

<b>Duration</b>	Half day
<b>Aims</b>	<p>To give participants the opportunity of:</p> <ul style="list-style-type: none"> <li>• furthering their knowledge of contractual and commercial matters relating to extensions of time</li> <li>• receiving advice on real life contractual and commercial problems</li> <li>• receiving advice on how to minimize the risk of improper deductions of liquidated damages</li> <li>• understanding the importance of the extension of time clause to the Employer as well as the Contractor</li> </ul>
<b>Coverage</b>	<ul style="list-style-type: none"> <li>• Lectures: <ul style="list-style-type: none"> <li>– Contract completion requirements</li> <li>– Importance of programming</li> <li>– Delays to progress and completion</li> <li>– Concurrent delays</li> <li>– Who owns the float?</li> <li>– How to avoid arguments on concurrent delay</li> <li>– Non-completion certificate</li> <li>– Notice of delay</li> </ul> </li> <li>• Questions and Advice</li> </ul>
<b>Who should attend</b>	<p>All architects, engineers, quantity surveyors and others who are involved in the notification, processing and granting of extensions of time on behalf of:</p> <ul style="list-style-type: none"> <li>• architectural and engineering consultants</li> <li>• employers</li> <li>• contractors</li> <li>• sub-contractors</li> </ul> <p>and</p> <ul style="list-style-type: none"> <li>• lawyers</li> </ul> <p>who are involved in advising clients on such issues</p>

## Identifying, Classifying and Accommodating Risk

*new*

<b>Duration</b>	Half day
<b>Aims</b>	<p>To give participants the opportunity of:</p> <ul style="list-style-type: none"> <li>• understanding risk as part of the decision making process in construction</li> <li>• understanding the techniques used in the identification, classification and accommodation of risk as part of the tender process</li> <li>• appreciating the importance of tender risk analysis</li> </ul>
<b>Coverage</b>	<ul style="list-style-type: none"> <li>• Lectures: <ul style="list-style-type: none"> <li>– certainty and uncertainty</li> <li>– theory of risk</li> <li>– what is risk?</li> <li>– reactions to risk</li> <li>– terminology</li> <li>– probability, uncertainty etc</li> <li>– probability theory</li> <li>– framework for risk assessment</li> <li>– sources, classification and effect of risk</li> <li>– guide to assessing risk consequences</li> <li>– response to risk</li> <li>– a guide to using a simple risk assessment system (using risk register)</li> </ul> </li> </ul>
<b>Who should attend</b>	<p>All construction professionals involved with the identification, assessment and management of risk, the preparation of tenders and the management of construction.</p> <p>Any other professionals that advise clients on such issues.</p>

## Introduction to Construction Insurance

<b>Duration</b>	Half day
<b>Aims</b>	<p>To give participants the opportunity of:</p> <ul style="list-style-type: none"> <li>• understanding the concept of transferring risk and the use of insurance within the process</li> <li>• furthering their knowledge of the purpose and use of insurance in the construction industry</li> <li>• understanding the necessity for and types of insurance cover used on construction and engineering projects</li> <li>• understanding the insurance requirements in construction contracts</li> </ul>
<b>Coverage</b>	<ul style="list-style-type: none"> <li>• Lectures: <ul style="list-style-type: none"> <li>– development of risk transfer and modern insurance</li> <li>– what is insurance and the types of insurance available</li> <li>– insurance terminology</li> <li>– characteristics of insurance contracts</li> <li>– the modern insurance market</li> <li>– risk management and the transfer of risk in construction</li> <li>– insurance on construction projects</li> <li>– typical requirements in Hong Kong Private and Public Sector Contract Forms</li> </ul> </li> <li>• Questions and Answers</li> </ul>
<b>Who should attend</b>	<p>All architects, builders, engineers, surveyors, commercial managers, administrators, contractors and sub-contractors involved with project documentation and/or construction related insurance and the making of claims.</p> <p>Any other professionals that advise clients on such issues</p>

## An Introduction to Financial Control Reporting and Forecasting

*new*

<b>Duration</b>	Half day
<b>Aims</b>	<p>To give participants the opportunity of:</p> <ul style="list-style-type: none"> <li>• understanding the importance of financial control, reporting and forecasting and the principles and processes that underpin them in the construction industry</li> <li>• understanding the importance of cashflow to and the commercial focus of a construction company with a review of how the business makes money by considering the returns of capital employed, cash management and profit and loss</li> <li>• understanding construction resource information and their associated costs and how to monitor, review and report them to the business management, including the preparation of a cost/value reconciliation</li> </ul>
<b>Coverage</b>	<ul style="list-style-type: none"> <li>• Lectures: <ul style="list-style-type: none"> <li>– corporate affairs</li> <li>– return on capital employed and comparison with other industries</li> <li>– cash management</li> <li>– profit and loss</li> <li>– process of financial control</li> <li>– reporting frequency</li> <li>– process of financial forecasting and the reporting chain</li> <li>– business unit operational plan</li> <li>– project forecast and its formulation</li> <li>– forecasting cost by using resources</li> <li>– forecasting income</li> <li>– process of financial reporting, including cost/value reconciliations</li> <li>– monitoring of resources</li> </ul> </li> </ul>
<b>Who should attend</b>	<p>All architects, builders, engineers, surveyors, commercial managers and management involved with contracting and/or the management of construction resources and the evaluation and management of construction.</p> <p>Any other professionals that advise clients on such issues.</p>

## Introduction to the Law of Tort (including Negligence, Nuisance and Misrepresentation)

<b>Duration</b>	Half day
<b>Aims</b>	<p>To give participants the opportunity of:</p> <ul style="list-style-type: none"> <li>• furthering their knowledge and understanding of the development of the law of tort</li> <li>• understanding how the law of tort is relevant to the construction industry and the professionals within it</li> <li>• furthering their knowledge and understanding of negligence, nuisance and misrepresentation, their relevance to construction projects and construction professionals</li> <li>• how construction professionals can identify and manage situations that may give rise to tortious liability on a construction project</li> </ul>
<b>Coverage</b>	<ul style="list-style-type: none"> <li>• Lectures: <ul style="list-style-type: none"> <li>– development of law in common law jurisdictions</li> <li>– introduction to law of tort, duties and interests</li> <li>– classifications of tort</li> <li>– application of the law of tort to construction</li> <li>– tort of negligence, nuisance and misrepresentation</li> <li>– remedies</li> </ul> </li> <li>• Questions and Answers</li> </ul>
<b>Who should attend</b>	<p>All architects, builders, engineers, surveyors, commercial managers, administrators, contractors and sub-contractors involved with the management of risk and minimization of claims.</p> <p>Any other professionals that advise clients on such issues.</p>

## An Introduction to the NEC (ECC) Form of Contract

*new*

<b>Duration</b>	Half day
<b>Aims</b>	<p>To give participants the opportunity:</p> <ul style="list-style-type: none"> <li>• of understanding the philosophy adopted in the preparation of the NEC suite of contracts</li> <li>• of understanding the structure of the NEC suite of contracts</li> <li>• to consider some of the unique features of the NEC Form of Contract and its associated documentation</li> <li>• to practice some of the procedures set down in the NEC Form of Contract</li> </ul>
<b>Coverage</b>	<ul style="list-style-type: none"> <li>• Lectures: <ul style="list-style-type: none"> <li>– history and development</li> <li>– structure</li> <li>– mutual trust and co-operation</li> <li>– primary and secondary options</li> <li>– use of options</li> <li>– terminology, early warning notice, compensation event, prevention, key dates</li> <li>– associated documentation</li> <li>– selected core clauses</li> </ul> </li> </ul>
<b>Who should attend</b>	All construction professionals involved or likely to be involved with the NEC Form of Contract.



## An Overview of Mediation and the Presentation of a Mock Mediation

<b>Duration</b>	Half day
<b>Aims</b>	<p>To give participants the opportunity of:</p> <ul style="list-style-type: none"> <li>• furthering their knowledge of mediation</li> <li>• experiencing a mock mediation involving a construction dispute</li> <li>• receiving advice on the various stages of a mediation and the techniques used by the mediator to encourage settlement</li> <li>• understand the important part played by the parties and the party representatives</li> </ul>
<b>Coverage</b>	<ul style="list-style-type: none"> <li>• Lectures: <ul style="list-style-type: none"> <li>– an overview of mediation setting out: <ul style="list-style-type: none"> <li>• the mediation process</li> <li>• the mediation agreement and mediation rules</li> <li>• the mediator's methods</li> <li>• preparing for mediation</li> <li>• some skills in attending a mediation</li> <li>• confidentiality and liability issues</li> <li>• the settlement agreement</li> <li>• some do's and don'ts</li> </ul> </li> </ul> </li> <li>• A Mock Mediation: <ul style="list-style-type: none"> <li>– Understanding how a mediation is conducted by: <ul style="list-style-type: none"> <li>• witnessing the various stages of a mediation involving a construction dispute leading up to and including settlement and the drafting of a Settlement Agreement</li> </ul> </li> </ul> </li> </ul>
<b>Who should attend</b>	<p>All architects, engineers, quantity surveyors, contractors, subcontractors, government representatives and others who have been involved in construction disputes on behalf of:</p> <ul style="list-style-type: none"> <li>• employers and government departments</li> <li>• contractors and subcontractors</li> <li>• architectural and engineering consultants</li> <li>• quantity surveyors</li> </ul> <p>and</p> <ul style="list-style-type: none"> <li>• lawyers</li> </ul> <p>who wish to consider a more practical, amicable and cost effective dispute resolution solution</p>

## Principles of Contract Law for Construction Contracts

<b>Duration</b>	Half day
<b>Aims</b>	<p>To give participants the opportunity of:</p> <ul style="list-style-type: none"> <li>• furthering their knowledge of the principles of contract law relevant to construction contracts</li> <li>• understanding how such principles are relevant to day to day problems encountered in the construction industry</li> <li>• receiving advice on how to apply such principles in various situations</li> </ul>
<b>Coverage</b>	<ul style="list-style-type: none"> <li>• Lectures: <ul style="list-style-type: none"> <li>– development of the law in common law jurisdictions</li> <li>– introduction to contract law</li> <li>– essential elements of a contract</li> <li>– construction of contracts</li> <li>– payment and varied works</li> <li>– default and damages</li> <li>– time for completion and liquidated damages</li> <li>– defences for non-performance</li> <li>– doctrines and remedies</li> <li>– limitations by statute</li> </ul> </li> <li>• Questions and Advice</li> </ul>
<b>Who should attend</b>	<p>All architects, engineers, quantity surveyors and others who on behalf of:</p> <ul style="list-style-type: none"> <li>• architectural and engineering consultants</li> <li>• employers and government departments</li> <li>• contractors</li> </ul> <p>and</p> <ul style="list-style-type: none"> <li>• sub-contractors</li> </ul> <p>who wish to know more about the legal principles on which the contracts they are administering are based</p>

## Prolongation Claims

<b>Duration</b>	Half day
<b>Aims</b>	<p>To give participants the opportunity of:</p> <ul style="list-style-type: none"> <li>• furthering their knowledge of contractual and commercial matters relating to valuation and assessment of prolongation claims</li> <li>• receiving advice on real life contractual and commercial problems</li> <li>• receiving advice on how to maximize revenue from prolongation claims resulting from variations</li> </ul>
<b>Coverage</b>	<ul style="list-style-type: none"> <li>• Lectures: <ul style="list-style-type: none"> <li>– requirements of the HKSAR GCC and HKIA/ RICS contract in relation to prolongation claims.</li> <li>– claimable elements of prolongation</li> <li>– notices of claim</li> <li>– concurrent delays</li> <li>– importance of programming</li> </ul> </li> <li>• Questions and Advice</li> </ul>
<b>Who should attend</b>	<p>All architects, engineers, quantity surveyors and others who are involved in the valuation and assessment of prolongation and recovery of additional payment from prolongation arising from delays to progress on behalf of:</p> <ul style="list-style-type: none"> <li>• architectural and engineering consultants</li> <li>• employers</li> <li>• contractors</li> <li>• sub-contractors</li> </ul> <p>and</p> <ul style="list-style-type: none"> <li>• lawyers</li> </ul> <p>who are involved in advising clients on such issues</p>

## Sub-Contract Problems

<b>Duration</b>	Half day
<b>Aims</b>	<p>To give participants the opportunity of:</p> <ul style="list-style-type: none"> <li>• furthering their knowledge of contractual and commercial matters relating to sub-contracting</li> <li>• receiving advice on real life contractual and commercial problems</li> <li>• understanding the importance of proactive management of sub-contractors and careful administration of sub-contracts</li> <li>• receiving advice on how to avoid the pitfalls when entering into sub-contracts</li> </ul>
<b>Coverage</b>	<ul style="list-style-type: none"> <li>• Lectures: <ul style="list-style-type: none"> <li>– importance of sub-contractors</li> <li>– assignment and sub-contracting provisions</li> <li>– incorporating main contract terms</li> <li>– pitfalls in letters of award/acceptance/intent</li> <li>– sub-contract completion-periods or programme</li> <li>– programming management of sub-contractors</li> </ul> </li> <li>• Questions and Advice</li> </ul>
<b>Who should attend</b>	<p>All architects, engineers, quantity surveyors and others who are responsible for approving sub-contracts or who are involved in the management of sub-contractors and administration of sub-contracts on behalf of:</p> <ul style="list-style-type: none"> <li>• architectural and engineering consultants</li> <li>• employers</li> <li>• contractors</li> </ul> <p>and</p> <ul style="list-style-type: none"> <li>• sub-contractors</li> </ul> <p>and</p> <ul style="list-style-type: none"> <li>• lawyers</li> </ul> <p>who are involved in advising clients on such matters</p>

## Valuation of Variations

<b>Duration</b>	Half day
<b>Aims</b>	<p>To give participants the opportunity of:</p> <ul style="list-style-type: none"> <li>• furthering their knowledge of contractual and commercial matters relating to valuation of variations</li> <li>• receiving advice on real life contractual and commercial problems</li> <li>• receiving advice on how to maximize revenue from variations</li> </ul>
<b>Coverage</b>	<ul style="list-style-type: none"> <li>• Lectures: <ul style="list-style-type: none"> <li>– Introduction – what is a variation?</li> <li>– Ordered variations</li> <li>– Valuation of Variations</li> <li>– Impact of Variations on time for completion</li> <li>– Impact of Variations on other work</li> <li>– “Deemed Variations”</li> <li>– Provisional Sums</li> <li>– Notice relating to variations</li> </ul> </li> <li>• Questions and Advice</li> </ul>
<b>Who should attend</b>	<p>All architects, engineers, quantity surveyors and others who are involved in the valuation of variations and recovery of additional payment from variations on behalf of:</p> <ul style="list-style-type: none"> <li>• architectural and engineering consultants</li> <li>• employers</li> <li>• contractors</li> <li>• sub-contractors</li> </ul> <p>and</p> <ul style="list-style-type: none"> <li>• lawyers</li> </ul> <p>who are involved in advising clients on such issues</p>

## BQ Problems on Government Civil Engineering Contracts

<b>Duration</b>	One day
<b>Aims</b>	<p>To give participants the opportunity of:</p> <ul style="list-style-type: none"> <li>• furthering their knowledge of the purpose of the BQ, its status under the Contract, problems that can arise from its poor preparation and the contractual provisions for resolving such problems</li> <li>• receiving advice on how problems associated with the BQ can be avoided</li> <li>• actively participating in questioning and discussion, by reference to real life case studies, how such problems should be resolved</li> </ul>
<b>Coverage</b>	<ul style="list-style-type: none"> <li>• Lectures: <ul style="list-style-type: none"> <li>– introduction to BQ</li> <li>– purpose of BQ</li> <li>– status of BQ under the Contract</li> <li>– ambiguities and discrepancies</li> <li>– errors in descriptions</li> <li>– omitted items</li> <li>– errors in quantities</li> <li>– Standard Method of Measurement ("SMM")</li> </ul> </li> <li>• Case Studies: <ul style="list-style-type: none"> <li>– dispute as to method of measurement of pipes</li> <li>– dispute in relation to under estimation of rock excavation quantities</li> <li>– dispute in relation to under estimation of site clearance quantities</li> <li>– dispute as to whether weld testing should be measured</li> </ul> </li> <li>• Advice: <ul style="list-style-type: none"> <li>– best practice for preparing BQ to avoid problems</li> <li>– best practice for overcoming time constraints, lack of design information and lack of site investigation information</li> <li>– demarcation between excavation for structures/foundations</li> <li>– zero or negative rates</li> <li>– deemed profit in rate</li> <li>– how to apply different rates for similar items in different bills to new items arising from remeasurement of work under other bills</li> </ul> </li> </ul>
<b>Who should attend</b>	<p>Contractors'</p> <ul style="list-style-type: none"> <li>• commercial managers</li> <li>• quantity surveyors</li> </ul> <p>and those involved in contract administration on behalf of consulting engineers and government departments and</p> <ul style="list-style-type: none"> <li>• lawyers</li> </ul> <p>who are involved in advising clients on claims in respect of errors in BQs and omissions therefrom</p>

## Extension of Time Workshop (Building Project)

### Duration

One day

### Aims

To give participants the opportunity of:

- furthering their knowledge on several of the important principles relating to entitlement to extension of time
- actively participating in questioning and discussing the application of such principles
- participating in practical “hands on” exercises to apply such principles to a complex situation of multiple delays on a building project caused by both the Contractor and the Architect and by neutral events

### Coverage

- Lectures:
  - Requirements of the HKSAR GCC and HKIA/ RICS Contract in relation to programming, time for completion and extension of time.
  - “float” in programmes
  - notices of delay
  - concurrent delays
- Workshop exercises:
  - review contract programme
  - review delays and “as built” programme
  - drafting notice of delay and review
  - review Architect’s response
  - drafting reply to Architect and particulars of cause and extent of delay and review

### Who should attend

Contractors’ and Sub-Contractors’

- engineers
- quantity surveyors
- site agents

and those who are involved in contract administration on behalf of consulting engineers, architects, quantity surveyors, government departments and other employing organizations

and

- lawyers

who are involved in advising clients on extension of time issues

### Materials

Comprehensive seminar documentation comprising pre-workshop briefing papers, pre-lecture notes, contract extracts and full copies of speaking notes and other reference material will be provided to all participants

### Remarks

Pre-workshop Briefing Papers will be despatched to successful applicants one week before the workshop. In order to be properly prepared for participating in the discussions and exercises it will be necessary for all participants to study the Briefing Papers in advance of the Workshop.



## Prolongation Workshop (Building Project)

Duration	One day
Aims	<p>To give participants the opportunity of:</p> <ul style="list-style-type: none"> <li>• furthering their knowledge on several of the important principles relating to prolongation</li> <li>• actively participating in questioning and discussing the application of such principles</li> <li>• participating in practical “hands on” exercises to apply such principles to a complex situation of multiple delays on a building project caused by both the Contractor and the Architect and by neutral events</li> </ul>
Coverage	<ul style="list-style-type: none"> <li>• Lectures: <ul style="list-style-type: none"> <li>– requirements of the HKSAR GCC and HKIA/ RICS contract in relation to prolongation claims.</li> <li>– elements of prolongation</li> <li>– notices of claim</li> <li>– concurrent delays</li> </ul> </li> <li>• Workshop exercises: <ul style="list-style-type: none"> <li>– review contract programme</li> <li>– review delays and “as built” programme</li> <li>– review Architect’s letter granting EOT</li> <li>– drafting reply to Architect and notices of claim</li> <li>– review reply and agree “model” reply/notice</li> <li>– review letter received from Architect</li> <li>– drafting particulars of claim</li> <li>– review and agree “model” particulars</li> </ul> </li> </ul>
Who should attend	<p>Contractors’ and Sub-Contractors’</p> <ul style="list-style-type: none"> <li>• engineers</li> <li>• quantity surveyors</li> <li>• site agents</li> </ul> <p>and those who are involved in contract administration on behalf of consulting engineers, architects, quantity surveyors, government departments and other employing organizations.</p> <p>and</p> <ul style="list-style-type: none"> <li>• lawyers</li> </ul> <p>who are involved in advising clients on prolongation claims issues</p>
Materials	Comprehensive seminar documentation comprising pre-workshop briefing papers, pre-lecture notes, contract extracts and full copies of speaking notes and other reference material will be provided to all participants
Remarks	Pre-workshop Briefing Papers will be despatched to successful applicants one week before the workshop. In order to be properly prepared for participating in the discussions and exercises it will be necessary for all participants to study the Briefing Papers in advance of the Workshop.

## Extension of Time Workshop (Civil Engineering Project)

<b>Duration</b>	One day
<b>Aims</b>	<p>To give participants the opportunity of:</p> <ul style="list-style-type: none"> <li>• furthering their knowledge on several of the important principles relating to entitlement to extension of time</li> <li>• actively participating in questioning and discussing the application of such principles</li> <li>• participating in practical “hands on” exercises to apply such principles to a complex situation of multiple delays on a civil engineering project caused by both the Contractor and the Engineer and by neutral events</li> </ul>
<b>Coverage</b>	<ul style="list-style-type: none"> <li>• Lectures: <ul style="list-style-type: none"> <li>– Requirements of the HKSAR GCC in relation to programming, time for completion, liquidated damages, extensions of time, diligent progress and completion of Works</li> <li>– “float” in programmes</li> <li>– notices of delay</li> <li>– concurrent delays</li> </ul> </li> <li>• Workshop exercises: <ul style="list-style-type: none"> <li>– review contract programme</li> <li>– review delays and “as built” programme</li> <li>– drafting notice of delay and review</li> <li>– review Engineer’s response</li> <li>– drafting reply to Engineer and particulars of cause and extent of delay and review</li> </ul> </li> </ul>
<b>Who should attend</b>	<p>Contractors’</p> <ul style="list-style-type: none"> <li>• project managers</li> <li>• commercial managers</li> <li>• quantity surveyors</li> </ul> <p>and those involved in contract administration on behalf of consulting engineers and government departments and</p> <ul style="list-style-type: none"> <li>• lawyers</li> </ul> <p>who are involved in advising clients on extension of time issues</p>
<b>Materials</b>	Comprehensive seminar documentation comprising pre-workshop briefing papers, pre-lecture notes, GCC extracts and full copies of speaking notes will be provided to all participants
<b>Remarks</b>	Pre-workshop Briefing Papers will be despatched to successful applicants one week before the workshop. In order to be properly prepared for participating in the discussions and exercises it will be necessary for all participants to study the Briefing Papers in advance of the Workshop.

## Dispute Avoidance Workshop

### Duration

One day

### Aims

To give participants the opportunity of:

- furthering their knowledge on how solutions can be found to complex commercial and contractual problems on the basis of the requirements of the HKSAR GCC
- actively participating in questioning and discussing the application of the Contract requirements to the commercial and contractual problems to be resolved
- participating in practical “hands on” negotiations between Contractor, Engineer and Employer in respect of various commercial and contractual issues to seek a resolution of those issues

### Coverage

Participants will each have the opportunity of playing the role of Contractor's, Engineer's and Employer's representatives in small groups in dealing with five separate scenarios in which potential disputes have arisen from:

- whether or not Contractor's programme submitted under GCC16 should be accepted by the Engineer
- whether or not an extension of time should be granted in respect of delays caused by variations requiring additional work
- whether or not interim payment should be certified for additional work for which no instruction under GCC60 has been issued nor substantiation of costs provided
- whether or not the Contractor should be paid for standing time while waiting for a change in design to be issued as a result of unforeseen ground conditions for which no notice under GCC64(2) has been served
- whether or not extension of time should be granted for work shown on the Drawings but omitted from the BQ and therefore to be valued under GCC 59(3)/61

### Who should attend

Contractors'

- project managers
- commercial managers
- senior quantity surveyors

Government's

- project managers
- senior engineers
- senior quantity surveyors

and Consulting Engineers'

- project managers
- senior resident engineers
- resident engineers
- senior quantity surveyors



## REGISTRATION FORM

I wish to register for the BK SURCO Training Seminar(s) / Workshop(s) as follows:

Mr/Mrs/Ms First Name: \_\_\_\_\_ Surname: \_\_\_\_\_

Company: \_\_\_\_\_

Position: \_\_\_\_\_ Email: \_\_\_\_\_

Tel: \_\_\_\_\_ Fax: \_\_\_\_\_ Mobile: \_\_\_\_\_

Address: \_\_\_\_\_

### Date and Time (Please select and tick the appropriate boxes)

Page	Seminar/Workshop	Date (Day)	Time	Fee
10	<input type="checkbox"/> Principles of Contract Law for Construction Contracts	8 March 2011 (Tue)	0900-1230	HK\$900.00
11	<input type="checkbox"/> Sub-Contract Problems	9 March 2011 (Wed)	0900-1230	HK\$900.00
6	<input type="checkbox"/> Extensions of Time	10 March 2011 (Thu)	0900-1230	HK\$900.00
5	<input type="checkbox"/> The DRA In Action	11 March 2011 (Fri)	0900-1230	HK\$900.00
4	<input type="checkbox"/> Bonds, Guarantees, Collateral Warranties & Letters of Credit	15 March 2011 (Tue)	0900-1230	HK\$900.00
5	<input type="checkbox"/> Dispute Resolution	16 March 2011 (Wed)	0900-1230	HK\$900.00
10	<input type="checkbox"/> Prolongation Claims	17 March 2011 (Thu)	0900-1230	HK\$900.00
6	<input type="checkbox"/> Identifying, Classifying and Accommodating Risk	22 March 2011 (Tue)	0900-1230	HK\$900.00
7	<input type="checkbox"/> Introduction to Construction Insurance	23 March 2011 (Wed)	0900-1230	HK\$900.00
4	<input type="checkbox"/> BQ Problems on Government Civil Engineering Contracts	24 March 2011 (Thu)	0900-1230	HK\$900.00
8	<input type="checkbox"/> Introduction to the Law of Tort (including Negligence, Nuisance and Misrepresentation)	29 March 2011 (Tue)	0900-1230	HK\$900.00
7	<input type="checkbox"/> An Introduction to Financial Control Reporting and Forecasting	30 March 2011 (Wed)	0900-1230	HK\$900.00
9	<input type="checkbox"/> An Overview of Mediation and the Presentation of a Mock Mediation	31 March 2011 (Thu)	0900-1230	HK\$900.00
8	<input type="checkbox"/> An Introduction to the NEC (ECC) Form of Contract	12 April 2011 (Tue)	0900-1230	HK\$900.00
11	<input type="checkbox"/> Valuation of Variations	13 April 2011 (Wed)	0900-1230	HK\$900.00
15	<input type="checkbox"/> Extension of Time Workshop (Civil Engineering Project)	25 March 2011 (Fri)	0900-1700	HK\$2,000.00
13	<input type="checkbox"/> Extension of Time Workshop (Building Project)	19 April 2011 (Tue)	0900-1700	HK\$2,000.00
14	<input type="checkbox"/> Prolongation Workshop (Building Project)	27 April 2011 (Wed)	0900-1700	HK\$2,000.00
16	<input type="checkbox"/> Dispute Avoidance Workshop	8 April 2011 (Fri)	0900-1700	HK\$2,500.00

Fee includes light refreshments and seminar/workshop materials.

Total Fee: HK\$ \_\_\_\_\_

**New Venue:** BK SURCO Limited, Suite 1901-2, 19<sup>th</sup> Floor, Hopewell Centre, 183 Queen's Road East, Wan Chai, Hong Kong

### Payment Method (please make payment in advance)

I enclose a cheque for HK\$ \_\_\_\_\_ made payable to "BK SURCO Limited".

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_

### Please mail completed Registration Form and cheque to:

BK SURCO Limited, Suite 1901-2, 19<sup>th</sup> Floor, Hopewell Centre, 183 Queen's Road East, Hong Kong  
(Tel: (852) 2687 2267 / Fax: (852) 2687 2252 / E-mail: bksurcotraining@bkasiapacific.com)

**Cancellation:** A replacement is always welcome with prior notice to the organizer at no extra charge should the registered delegate be unable to attend. Refunds (less 20% administration charge) will be made for all cancellations received in writing by the organizers not later than 10 working days prior to the date of the seminar.

**Note:** The seminar/workshop programme is subject to change at any time without any liability.