

NAVIGATING COMPLEX CONSTRUCTION CONTRACTS

Case Studies

Editors

Farrah Azwanee Aminuddin

Nur Emma Mustaffa



UTM
UNIVERSITI TEKNOLOGI MALAYSIA

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Understanding construction contracts requires more than theoretical knowledge where it demands engagement with the intricacies of real-world scenarios. This book chapter bridges the gap between academic principles and practical application through an innovative case study methodology, designed to resonate with both professionals and students in the construction field. Within these pages lies a carefully curated collection of hypothetical case studies, inspired by recurring challenges in construction management. Each case study has been thoughtfully crafted to explore key contractual provisions and their implications in construction projects.

From dissecting complex issues to simulating real-world scenarios, the book empowers readers to navigate contractual intricacies with clarity and confidence. The book serves as both a teaching resource and a learning guide, offering educators versatile tools to facilitate dynamic classroom discussions. Simultaneously, it provides students with practical insights, encouraging critical thinking and problem-solving skills vital for addressing contractual challenges. Whether you are an academic seeking innovative pedagogical tools or a practitioner aiming to deepen your understanding, this book chapter delivers a rich blend of theory and practice. Dive in to unravel the complexities of construction contracts and cultivate the skills essential for success in the construction industry.



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PREFACE

There was a desire within the Department of Quantity Surveying, Faculty of Built Environment and Surveying at the Universiti Teknologi Malaysia (UTM) to strengthen the students' understanding of construction contracts. UTM has introduced the NALI (New Academia Learning Innovation) approach since 2017 through the application of student-centred learning and innovative approaches in the curriculum of each academic programme. Among those outlined are problem-based learning, scenario-based learning, and case study teaching.

Within the field of construction, our students, as a future capable and competent workforce, need a profound understanding of construction contracts. While the undergraduate curriculum encompasses courses related to construction contracts, project management, construction law, and dispute resolution, opportunities to engage with realistic construction project cases remain limited.

In accordance with case-based learning theory, the pedagogical framework advocated herein adopts a mixed-method approach, integrating formal classroom instruction with simulation activities. This approach is designed to enhance students' knowledge retention and critical thinking skills, thereby bridging the chasm between theoretical concepts introduced in the lecture hall and the pragmatic intricacies inherent in managing complex construction projects.

The primary objective of this edited book is to align with the university's educational goals by providing a platform for teaching and learning that corresponds with the aspirations of the university. Specifically, the edited book seeks to offer an academic guide to reinforce lecturers' teaching capacities through the adoption of case studies and to identify best practices in the management of construction contracts.

The selected case studies are meticulously crafted real-life problems fictional narratives, strategically designed to serve as invaluable teaching and learning materials. With a focus on enhancing students' understanding of fundamental principles and their practical applicability. The goal is to foster a generation of professionals equipped not only with theoretical knowledge but also with the analytical skills in construction contracts.

The compilation of these case studies into a singular volume serves the collective benefit of students and academics, particularly within the construction domain at universities. This material holds substantial utility for educational and training purposes in various construction-related fields, not only within Malaysia but also on an international scale. Following the acquisition of foundational knowledge from standard construction contract textbooks and lectures, these case studies can facilitate interactive engagement with students.

We extend our gratitude to Professor Kherun Nita Ali, the Dean of Faculty of Built Environment and Surveying, Associate Professor Dr. Rossilah Jamil, and Associate Professor Dr. Adriana Mohd Rizal from Azman Hashim International Business School for their extensive inspiration, dedication, and guidance in coaching the contributing authors throughout the years. We hope you enjoy reading the chapters.

Farrah Azwanee Aminuddin

Nur Emma Mustaffa

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