

SIA SMAP Series #3:

SIA Articles and Conditions of Contract for Minor Works 2012 (MWC 2012)

*In 1987, the Singapore Institute of Architects (SIA) published the Articles and Conditions of Building Contract for Minor Works, with reprints in 1991 and 1992, as SIA recognised the need to have a contract specifically for smaller or less complex projects. Since then there had been no review or revisions to the contract until 2011 when a comprehensive review was undertaken. After a review, drafting and feedback period from May 2011 to November 2012, the **SIA ARTICLES AND CONDITIONS OF CONTRACT for MINOR WORKS 2012 (MWC 2012)** was published in December 2012.*

This series of 5 seminars will cover all aspects of the MWC 2012. As the Architect is the only professional whose role as contract administrator is governed by statute, the aim of this series is to ensure Architects understand this role, and have the skill and knowledge to advise their Clients and administer the contract in a professional manner.

SMAP Series #1: 22 August 2013 (Thursday), 5:30p.m

Topic 1 - Basic Principles, Guidance Notes & Quick-Start Guide

Topic 2 - Preparation of Tender Documents

SMAP Series #2: 17 October 2013 (Thursday), 5.30p.m

Topic 1 - Cost Control – Payment, Valuation & Variations

Topic 2 - Extension of Time & Liquidated Damages

SMAP Series #3: 20 February 2014 (Thursday), 5.30p.m

Topic 1 - Contractor's Responsibilities

Topic 2 - Quality Control

Topic 3 - Completion & Maintenance Period

Upcoming SMAP Series #4-5:

SMAP Series #4: 17 April 2014 (Thursday), 5.30p.m

Topic 1 – Liabilities & Indemnities

Topic 2 – Insurance

SMAP Series #5: 17 July 2014 (Thursday), 5.30p.m

Topic 1 - Dispute Resolution Methods

Topic 2 - Termination

EVENT DETAILS FOR SMAP SERIES # 3

Date : 20 February 2014, Thursday

Time : 5.30pm - 8.00pm
(Registration will start from 5.00pm onwards with refreshment)

Venue : Singapore Institute of Architects
SIA Theatre Level 1
79 Neil Road (S) 088904

BOA-SIA CPD : 4 CPD points

Per Seminar fee : SIA Members (\$50.00),
Non Members (\$100.00)

Closing date : 14 February 2014

** All seminars fees are inclusive of GST.*

*** Registration for attendance of seminar shall be closed 30 mins after the seminar commences.*

PROGRAMME SCHEDULE FOR SMAP SERIES # 3

5.00pm Registration with Light Refreshment

5.30pm Presentation on **Contractor's Responsibilities**
by

Mr Anil Changaroth - Aequitas Law LLP

Ms Catherine Loke - Lander Loke Architects

6.30pm Presentation on **Quality Control and**
Completion & Maintenance Period by

Mr Thomas Lew - Design Integrated
Architects

7.30pm Q & A

8.00pm End of event

PLEASE TAKE NOTE:

Participants will need a copy of the MWC 2012 for reference and to take notes during the seminars, hence please bring along your copy for the seminars.

Alternatively, sales of the "Articles and Conditions of Contract for Minor Works 2012" is available during the seminar for participants who do not have a copy.

SIA Member: \$13.00

Non SIA Member: \$26.00

For more information, please contact SIA (**Ms Jacey Tay**):

Tel: (65) 6226 2668

Fax: (65) 6226 2663

Email: cpd@sia.org.sg

Organised by:



CPD PROGRAMME: 2014/005/MS/JT

GST REG. NO.: M9-0001281-J
G.N. No. 565 in Gazette No. 27

SIA Articles and Conditions of Contract for Minor Works 2012 (MWC 2012)

SMAP Seminar Series #1: 22 August 2013 (Thursday), 5:30 P.M

Topic 1

Basic Principles, Guidance Notes & Quick-Start Guide

This talk is intended for those with little experience in contract administration, or those who want a refresher or overview of the contract. The speaker will highlight what is new in the contract, when to use the contract and the role of the Architect as contract administrator. The speaker will also provide some tips on how to use the contract as a tool for good communication and risk management.

Speaker:

Ms Catherine Loke - Lander Loke Architects

Topic 2

Preparation of Tender Documents

This talk is intended for Architects or Quantity Surveyors who are involved in preparing tender documents. The speaker will highlight the features of the MWC 2012 which make tender documentation less complicated, and advise on which clauses require supplementary information to be included in the Preliminaries to cater for project-specific needs.

Speaker:

Mr Sam Wong - WS Surveyorship Pte. Ltd.

SMAP Seminar Series #2: 17 October 2013 (Thursday), 5.30 P.M

Topic 1

Cost Control – Payment, Valuation & Variations

The speakers will explain the payment procedure and rules for valuation, and how they tie in with the Building and Construction Industry Security of Payment Act (Cap. 30B). Tips on how to use the contract as a tool for cost control will also be provided, including the use of Architect's Instructions to track and manage Variations, NSC nominations and adjustments to Prime Cost and Provisional Sums.

Speakers:

Mr Sam Wong - WS Surveyorship Pte. Ltd.

Mr Anil Changaroth - Aequitas Law LLP

Ms Catherine Loke - Lander Loke Architects

Topic 2

Extension of Time & Liquidated Damages

Extension of Time (EOT) and Liquidated Damages are common areas of dispute. The speakers will go through the grounds for EOT, condition precedent to EOT, and advise on how to use the new Certificate of Liquidated Damages Entitlement to minimise disputes.

Speakers:

Mr Anil Changaroth - Aequitas Law LLP

Ms Catherine Loke - Lander Loke Architects

SMAP Seminar Series #3: 20 February 2014 (Thursday), 5.30 P.M

Topic 1

Contractor's Responsibilities

With construction becoming increasingly specialised, and with new statutory requirements being imposed, the speakers will highlight the clauses which provide for new responsibilities relating to specialist design, the Workplace Safety and Health Act (Cap. 354A), temporary works and documentation required from the Contractor, and how to use Architect's Instructions to manage risk and secure compliance.

Speakers:

Mr Anil Changaroth - Aequitas Law LLP

Ms Catherine Loke - Lander Loke Architects

SIA Articles and Conditions of Contract for Minor Works 2012 (MWC 2012)

SMAP Seminar Series #3: 20 February 2014 Thursday), 5.30 P.M – Con't

Topic 2

Quality Control

The MWC 2012 treats the Contractor as a specialist in building, able to not only abide by the contract specifications and drawings but also to highlight and advise on better methods of working or alternative materials. This talk will cover quality control issues, how to manage defects rectification and contractual remedies for non-compliance.

Speaker:

Mr Thomas Lew - Design Integrated Architects

Topic 3

Completion & Maintenance Period

The speaker will explain the concept and process of substantial completion, and how to deal with minor outstanding works. The Contractor's obligation to rectify defects and the remedies for failure to rectify will also be covered, as well as when and how the Architect should issue the Maintenance Certificate.

The speaker will also advise on Phased Completion and its contractual implications.

Speaker:

Mr Thomas Lew - Design Integrated Architects

SMAP Seminar Series #4: 17 April 2014 (Thursday), 5.30 P.M

Topic 1

Liabilities & Indemnities

The speaker will explain the difference between liabilities and indemnities, and how they relate to insurance.

Speaker:

Mr Anil Changaroth - Aequitas Law LLP

Topic 2

Insurance

This talk will cover the Contractors' All Risk and Work Injury Compensation Insurance in relation to statutory requirements and contractual obligations. The speaker will also advise on whether or not a risk is insurable, and what the Architect should look out for when checking the Contractor's insurance policies.

Speakers:

Mr Han Ting Guan - QBE Insurance

Mr M Rama - M Rama Law Corporation

SMAP Seminar Series #5: 17 July 2014 (Thursday), 5.30 P.M

Topic 1

Dispute Resolution Methods

The MWC 2012 is drafted with the emphasis on resolution rather than dispute. The speaker will go through the options available to the parties, including how to use the Building and Construction Industry Security of Payment Act (Cap. 30B), Expert Determination, Mediation & Arbitration to resolve disputes.

Speaker:

Anil Changaroth - Aequitas Law LLP

Topic 2

Termination

This talk will cover the contractual procedures and legal implications of termination, and how to calculate liquidated damages in the event the Employer has engaged others to complete the Works.

Speakers:

Mr Anil Changaroth - Aequitas Law LLP

Ms Catherine Loke - Lander Loke Architects

Speakers Profiles



Mr Anil Changaroth - Aequitas Law LLP

Anil is currently a partner with Aequitas Law LLP, having been in practice since 1995 after graduating as a Barrister of England and Wales (Middle Temple), following a 5 year career as an infantry officer with the Singapore Armed Forces. His work primarily involves many aspects of commercial, civil, corporate & criminal litigation and dispute resolution with a focus on Construction Law & Arbitration and represents parties in Singapore and the region including Australia, Sri Lanka, Hong Kong, India, Indonesia, and Pakistan. Anil also spent a year with the international arbitration practice group at the international law firm of Lovells Lee & Lee and two years before that as in-house counsel, director and head of Contract Advisory and Dispute Management Services of Davis Langdon & Seah Singapore Pte Ltd. A Fellow of the Chartered Institute of Arbitrators and the Singapore Institute of Arbitrators, Anil is honorary legal advisor to the SIA advising the Small & Medium Architectural Practices Committee, is the Honorary Treasurer of the Singapore Institute of Arbitrators [2011-2013] and chair of its Schemes Arbitration committee and the Chairman of the Society of Construction Law, Singapore [2012-2014].



Ms Catherine Loke - Lander Loke Architects

Catherine obtained her Bachelor of Planning & Design in 1989 and Bachelor of Architecture (Hons) in 1992 from the University of Melbourne. During the course of her career, she has worked briefly in Melbourne & Kuala Lumpur, and in Singapore since 1993. She has been a Registered Architect since 1998 and partner in Lander Loke Architects since 1999.

Catherine currently serves on the Council at the Singapore Institute of Architects, and as Chairman of the Small & Medium Architectural Practice Committee and member of the Architects' Appointment Committee. She is also currently on the Panel of Examiners for the Board of Architects Professional Practice Examination.

In 2011 and 2012, she was the Facilitator of the Minor Works Contract Working Group which undertook a comprehensive review of the SIA Minor Works Contract First Edition 1987, resulting in the publication of the SIA Articles and Conditions of Contract for Minor Works 2012 (MWC 2012) in December 2012. The Minor Works Contract Working Group is currently reviewing and drafting the Conditions of Sub-Contract for use with the MWC 2012.



Mr Sam Wong - WS Surveyorship Pte. Ltd.

Sam is a practising Quantity Surveyor, who has professional experience for more than 22 years in Quantity Surveying in the Civil Engineering and Construction Industry in Singapore, and extends over countries in Asia including West Malaysia, Indonesia, Thailand, and India.

Sam was elected as a Member of the Royal Institution of Chartered Surveyors (MRICS) and a Member of the Singapore Institute of Surveyors and Valuers (SISV) in 1997 and 1999 respectively, and he is the founder of WS Surveyorship Pte. Ltd. in 2006.

In 2011, Sam was invited by the SIA Small & Medium Architectural Practice Committee to participate in the Minor Works Contract Working Group's review of the SIA Articles and Conditions of Contract for Minor Works.

Speakers Profiles

Mr Thomas Lew - Design Integrated Architects

Thomas is a practising Architect. He started his practice in 1989 and has experienced the demands of the Architect's role as administrator and certifier of the construction contract.

He became a Council member of the Singapore Institute of Architects and served as Chairman of the Small Practices Committee in 2001. In 2009, he coined the name SMAP for the committee, for which practising Architects especially those in Small and Medium Architectural Practices can seek unity & affirmation of their common practice with fellow practitioners and when faced with difficulties, solace & assistance in the SMAP Practice Clinics.

He was actively involved in the decision to re-look at the Minor Works Contract 1992 edition for its suitability for SMAP and the updating of the 2012 edition.

The MWC 2012 is an essential and easy-to-use tool of the practising Architect, restoring the Stature of the Architect's Leadership as the Contract Administrator and Independent Certifier, to realise the Architect's concept design to its building completion.



Mr Han Ting Guan - QBE Insurance

Mr Han is the Manager for Business Development, Agency Department in QBE Insurance (International) Ltd in Singapore and is also a Chartered Insurer. He has more than 30 years' experience in the general insurance industry, predominantly in construction project risk for Contractor All Risks (CAR) insurance.



Mr M Rama - M Rama Law Corporation

M Rama is the Managing Director of M Rama Law Corporation. He has more than 33 years of litigation experience. He also practices conveyancing and probate law.

He has represented institutions, corporates and individuals in the Subordinate Courts, High Court and the Court of Appeal of Singapore.

His interest in Insurance litigation picked up from 1992. Since then, he has represented several reputable Insurance companies and played a pivotal role in shaping the landscape in this area of law.

Apart from representing Insurance companies in Court, he was also involved in assisting the General Insurance Association (GIA) to add amendments to the Motor Insurance Policy and the Work injury Compensation Policy necessitated by the new Motor Claims Framework and the amendments to the Work Injury Compensation Act in 2008.



EVENT DETAIL

Seminar : SIA SMAP Series #3: SIA Articles and Conditions of Contract for Minor Works 2012 (MWC 2012)
 Date : 20 February 2014
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 Venue : Singapore Institute of Architects, SIA Theatre Level 1 (79 Neil Road, Singapore 088904)
 BOA-SIA CPD : 4 CPD points
 Per Seminar fee : \$50.00 (SIA Members), \$100.00 (Non Members) – fees inclusive of GST
 Closing date : 14 February 2014

Please fax / email the completed registration form to Ms Jacey Tay:

Tel: (65) 6226 2668

Fax: (65) 6226 2663

Email: cpd@sia.org.sg

And follow up with cheque / cash / online payment to Singapore Institute of Architects.

Please tick your mode of payment:

☐ **By Cheque**

Bank/Chq # : _____ Amt S\$: _____
 Local Cheque (must be drawn in Singapore) should be crossed
 and made payable to "Singapore Institute of Architects".

Mail to SIA address:

Singapore Institute of Architects
 79B Neil Road, Singapore 088904

Please indicate your name, company/institution and course
 date/title on the back of the cheque.

☐ **By Cash**

You can drop by SIA office to make cash payment between
 9.30am – 5.30pm on weekdays.

☐ **By Online Payment**

<http://members.sia.org.sg/payment/sia-20140220.html>

(It is mandatory to provide us with your Receipt ID # after your
 credit card payment transaction)

Receipt ID #: - - -

Participant's Detail

Organization: _____ Contact Person (if any): _____

Tel: _____ Fax: _____ Email: _____

Receipt Mailing Address: _____

_____ S ()

Full Name of Participant

(as per NRIC / FIN, pls underline surname)

NRIC / FIN #

Email

Amt

1	HP #: ☐ SIA Member, SIA #: [] ☐ Non Member, BOA # (if any): []		
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4	HP #: ☐ SIA Member, SIA #: [] ☐ Non Member, BOA # (if any): []		

**Please take note that all the above fields are mandatory. Incomplete form
 will not be process.

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Cheque payment for this activity should not be combined with payment for other SIA
 events/courses.

Fees paid are non-refundable under all circumstances. Replacement of participant will
 be allowed only if written notification is made at least 3 days before the event.

Where a Non-Member replaces a Member (must be from the same Org.) the fee
 difference will have to be made good to SIA prior to the event.

Registration for attendance of seminar shall be closed 30 mins after the seminar
 commences.

Registration will be on a First-Come-First-Served basis and will be accepted
 upon receipt of registration form and payment to SIA. Registration by fax will
 only be confirmed upon receipt of payment.

Registration Confirmation No.:-

