

Contract Management Course Definition Document– C M

Master's degree qualification and specialization in Building Information Modeling and Management

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Number of sessions :12

Course summary: The contracting stage is one of the basic stages in the project life cycle, and despite the shortness of this stage in relation to other stages of the project, it has a significant impact on the success or failure of the project, so it is prepared in advance by the administration / owner in order to choose the appropriate method to contract in according with the nature, size and complexity of the project, especially in light of the intense competition in the business world today, and on the other hand, it must keep pace with the developments of global contracting systems in the field of construction industry and projects. Therefore, the management of this stage is of paramount importance to obtain a suitable and integrated contract with a strong and clear wording/forming that meets both the wishes/requirements and needs of the project parties, which contributes to reducing project disputes and this will reduce the project time and cost.

Article code: C M

Classes.....:

Article chapters:

Chapter number	Chapter title	Brief explanation

1	Characteristics of engineering projects and contracting.	Definition of the most important characteristics of projects and the definition of the contracting environment .
2	Engineering Project Contracts	Definition and classification of the types of traditional and modern engineering contracts.
3	Contracts of construction, Build-operate-transfer- BOT	Definition of BOT contracts and the mechanism of their uses in the implementation of projects.
4	Partnership Contracts- Public-private partnership PPP and investment	Clarify the mechanism of using partnership contracts in project implementation.
5	International Contracts - FIDIC contracts	Definition of the most important international contracts FIDIC -contracts.
6	Contracting procedures in engineering projects	Clarify the procedures or mechanism used to contract in projects.

7	Pre-qualification and classification of contractors	Introducing the mechanism for qualifying contractors and how to classify them
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Outcomes:

Learning Outcomes	Learning Outcomes	Exam	Synchronous sessions	Assignments
LO1	The student is provided with the necessary knowledge, concepts and terminology related to contract management practices in business organizations.	√	√	√
LO2	The ability to understand the legal background of contracts and the contracting strategy.	√	√	√
LO3	The ability to understand the obligations and duties of the contract parties.	√	√	√
LO4	The ability to understand and formulate a balanced contract.	√	√	√
LO5	Understanding the types of traditional and modern contracts in	√	√	√

	the project world, including BOT and partnership contracts-PPP.			
LO 6	Understanding project contracting procedures and their settlement mechanism.	√	√	√
LO 7	Understanding the mechanism of qualification and classification of contractors and the selection of the appropriate contract	√	√	√

Evaluation criteria:

Learning Outcomes	Evaluation Criteria
	To achieve the results, the student must demonstrate the capabilities in:
LO1	<ol style="list-style-type: none"> 1- Re-read the most important terms and concepts addressed by the lecturer in the lecture. 2- It raises inquiry questions about the meaning of each term / concept and how it relates to reality. 3- He reviews the theories and models related to the terms and concepts that were circulated in the lecture. 4- He writes down all the ideas he has seen in a special booklet that is easy to refer to when needed.
LO2	<ol style="list-style-type: none"> 1- He reviews the method and mechanism of contracting in projects from the reality of an

	<p>actual project contract in his institution/organization that he intends to consider as a case study.</p> <p>2- He collects and tabulates information about his project contract, which is considered as a case study.</p> <p>3- He reviews the requirements and objectives of the contracting phase of projects and writes down the requirements of his project contract as a case study.</p>
LO3	<p>1- Learn the obligations and duties of the contract parties in the project.</p> <p>2- He reviews the information and data related to his project before choosing a contracting method.</p> <p>3- He uses the appropriate tool / method to develop a plan to contract on the project according to its nature.</p> <p>4- He sets the appropriate criteria for the approval of his project contract .</p>
LO4	<p>1- Recognize the types of traditional contracts used to implement/execute projects.</p> <p>2- Learn how to formulate traditional contracts and the obligations of the parties to them.</p> <p>3- Recognize the approved evaluation criteria - for example : the contract's balance in terms of rights and duties - the distribution of contract risks to its parties.</p>
LO5	<p>1- Learn the concept of BOT contracts -Build Operate &Transfer- BOT</p>

	<ul style="list-style-type: none"> 2- Recognizes the structure of BOT contracts and its main parties. 3- Learn how to use BOT contracts - Building Operate & Transfer in the implementation of projects.
LO 6	<ul style="list-style-type: none"> 1- Learn about contracting procedures in projects. 2- Records standard contracting procedures. 3- Compares procedures for contracting followed in his institution or in the place of his work with those contained in the lecture. 4- It recognizes the way the contract followed in the Syrian Contracting Law.
LO7	<ul style="list-style-type: none"> 1- Learn about the contractors' qualification mechanism and its application in his project. 2- Recognize the mechanism of classification of contractors and the criteria used for that. 3- Recognize the most important global ways to choose the appropriate contract for the project. 4- Compares the method of selecting the contractor in his organization with the international methods.

instructions:

Generating Evidence : The student individually prepares a brief report in which he demonstrates his ability to understand the previous outcomes, and this is before he takes the exam and deals with:

- Problems facing contract management in his organization or department.
- Then how does contract management contribute to solving or minimizing these problems and thus achieving its objectives and required quality.

References

First - Arabic books:

1. Decree 51 of 2004 (Syrian Contract Law).
2. Executive Regulations (for Syrian Contract Law) decree No. 45 0 of 2004.
3. Suggesting a system for studying and evaluating tender offers for civil engineering projects in Syria, a diploma project in civil engineering - supervised by Dr. Adib Kolo - Dr. Mohamed Shaban, Damascus University, 2003.
4. Al-Jar Allah, Muhammad bin Ibrahim :Construction Management «King Saud University Publications, Deanship of Library Affairs, 1413 AH.
5. Khalaf, Dawood, Construction Contract Usage Guide - Perceptions and Applications (FIDIC 1999), 2002, Clause 7, p. 86.
6. Khalaf, Daoud, President of the Arab Organization for Engineering Arbitration, "The Unified Arab Contracting Contract and Development Areas", website of the Federation of Arab Engineers, date of entry 23/4/2020 .<https://arabfedeng.org/> . /
7. Hassan Muhammad Ali, General Facility Commitment Contract BOOT Source: The principle of susceptibility of the rules of public utilities to change and development, p. 145-163 <https://almerja.net/reading.php?i=4&ida=1947&id=973&idm=42191>
8. Jaber grandfather .Nassar, bot contracts BOOT And the modern development of the commitment contract, a critical study of the traditional theory of the commitment contract, Dar Al-Nahda Al-Arabiya, Cairo, 2002.
9. Syrup « Rasha Majal application participatory projects between public sectors and private and its prospects in Syria, Economic Studies, 2017, Medad - Damascus Center for Research and Studies« www.dcrs.sy
10. El Abane, Mohamed Hassan, Judi Maher «organizing projects wa Dartha, theoretical part « publications University Ba'ath and the Ministry of Higher Education, Syria, 1997.
11. Shaban «Muhamed « Good God « insist religion « Kantar « Hanan, propose a system evaluation of offers contractors to

implement projects Engineering in Syria ,publications Journal of the University of the Baath .2006 ،

12. Shaban ،Muhamed “ Conflict Management in Construction Projects ” Training Program ، Instit ute of Public Administration - Riyadh ،Kingdom of Saudi Arabia.

13. Terms of contract construction)" comprehensive guidelines to prepare the conditions for) ، (a copy -1999 FIDIC ، (99 translation team work in charge of by FIDIC to prepare the translation : Dr .Eng Jamal Nassar / Egypt ، Eng Daoud Khalaf / Jordan ، Dr .Eng .Nabil Abbas / Saudi Arabia ، Eng .Majed Kholousi / Egypt) *Arabic version 100 (p.m ، . and also the FIDIC contract 99 in English* CONDITIONS OF CONTRACT FOR

CONSTRUCTION, (Including Guidance for the Preparation of Particular Conditions), FIDIC99.

14. Khalaf ،Daoud Conditions of FIDIC Contract 1999 p. (112-111) .

15. Matar ،Essam Abdel -Fattah : Contracts FIDIC - Contracting works Engineering civil and means of resolving disputes arising by ، Dar University New Publishing ،Alexandria, Egypt.2009 ،

16. Nayef ، Abdul Latif ، Vice -President of the State Shura Council ، Iraq ،a study in : Contracts of Commitment of Public Utilities Bot) ، BOT (Construction ، operation and transfer) transfer of ownership (<http://council-state.iq. />

17. .Nakhleh ، Magdy Morris, in the Egyptian experience in the field of establishing airports with a system BOT Research presented to the International Conference on Build, Operate and Transfer of Ownership Projects (Boot) and the Ingredients for Their Success in Egypt, Cairo Regional Center for International Commercial Arbitration, Cairo, 14-16 November 1999, p. 3.

Second - foreign books:

1. Construction Contract 2nd Ed (2017 Red Book); For Building and Engineering Works designed by the Employer. general conditions; Guidance for Preparation of Particular Conditions , <https://fidic.org/books/construction-contract-2nd-ed-2017-red-book>
2. Conditions of Contract for Construction for Building and Engineering Works Designed by Employer, General Conditions, FIDIC99-1999.
3. Hutchings F. Jonathan, Construction Claims Manual for Residential Contractors. McGraw-Hill, 1998. IPA's Class No:343.078624 HJC .
4. FIDIC® Conditions of Contract for CONSTRUCTION.FOR BUILDING AND ENGINEERING WORKS DESIGNED BY THE EMPLOYER, Second Edition 2017 , ISBN 978-2-88432-084-9, 225p.
5. Mr. IAF Hendriksen & ir. PGA de Bruijn , FIDIC 2017: the revised dispute resolution procedure, BR 2018/48
6. Project Management Body Of Knowledge –PMBOK, 6 *ed., 2017, PMI Document, USA. <http://www.PMI.org>
7. Palaneeswaran Ekambaram and Kumaraswamy Mohan M. - Contractor Selection for Design/Build Projects - Journal of Construction Engineering and Management - VOL.126, NO.5, september/ october.2000 - P 331 - 339.
8. Sheu Liyin and Drew Derek and Zhang Zhihui - Optimal Bid Model for Price-Time Biparameter Construction Contracts - Journal of Construction Engineering and Management - VOL.125, NO.3, may/june.1999 - P 204 - 209.

9. Steffen Hebsgaard Muff, NJORD insight: The new claims procedure of the 2017 FIDIC suite of contracts, <https://www.njordlaw.com/njord-insight-new-claims-procedure-2017-fidic-suite-contracts/> , Access date : 16/5/2020.
10. The Emerald Book: the new FIDIC Tunnelling Contract, By Jeremy Glover, Partner, Fenwick Elliott , <https://www.fenwickelliott.com/research-insight/newsletters/international-quarterly/emerald-book-new-fidic-tunnelling-contract> .
11. Thomas Young, Partner, Fenwick Elliott , Changes to the Claims provisions in the 2017 FIDIC Red Book, <https://www.fenwickelliott.com/research-insight/newsletters/international-quarterly/changes-claim-provisions-2017-fidic-red-book> (access date 2/5/2020)

Third - websites related to the course:

1. the www: Fidic .org
2. <https://arabfedeng.org/>
3. <https://fidic.org/books/construction-contract>

Virtual meetings : The virtual meetings continue concurrently with the simultaneous sessions and listen to all the requirements of the students.

Suggestions for reading : mentioned above

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