

# General Conditions Of Contract For Construction Works

**ABOUT THIS BOOK** This book assists the reader and provides value in three ways: First, model contract language in the form of commercial terms and conditions are provided. Second, the contract language is annotated with explanations and suggestions for each of the key articles. Third, summaries of actual litigated cases are provided in synopsis form. This triple combination of language, annotations and key case synopses all work together to instruct and enlighten the reader.

**WHAT OTHERS HAVE SAID ABOUT THIS BOOK** "This book is a superb tool for anyone who relies upon contracts in their business dealings..." Nick Conca, Esq. Chief Claims Officer, Markel Corporation "The authors have hit the ball out of the park! They have crafted an easy to read and easy to understand contracts primer that all supply / demand chain professionals will embrace..." Dan Klepacki, MBA, BS Engineering Adjunct Professor - Rutgers Business School and Senior Industry Advisor Rutgers SCM Program "This book should be required reading for any Project Manager..." Frank V. Cielo, PMP Head of Operational Excellence KEMA Laboratories Chalfont DNV GL Energy "After

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having read Model Contract Terms and Conditions With Annotations and Case Studies, by Paul Humbert and Robert Mastice, I hope that this treatise becomes a standard manual in any situation where personnel have to develop and draft contracts in any business setting...." Glenn A. Montgonery, Esq., B.A., M.A., J.D. Montgomery, Chapin & Fetten, P.C. "Finally, a concise, annotated source of model contract terms and conditions with case summaries and citations prepared by those with actual, hands-on experience with complex project management transactions..." Glen Clark, Esq. Managing Partner Riker Danzig, Esqs. "The authors' practical experience and technical knowledge combine to provide a valuable guide for executives in the industry. This book contains valuable, real-world framework for successful capital project execution..." Guy Cipriano, P.E. President-EI Associates "Authors Paul Humbert and Robert Mastice do an exquisite job of simplifying and decomposing a complex topic in a pragmatic way..." Charlie White Entrepreneur & Principal Partner Thwakk, Inc "Contracts make the commercial world go round. The authors have done a stellar job of demystifying the contracting process, and what can be intimidating "legal" terms and conditions..." James A. Silva VP Solution & Business Development HD Supply - Power Solutions "Paul Humbert and Robert Mastice have written an invaluable resource for any business person or attorney who deals with

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commercial contracts. They provide section by section explanations of the purpose of, and rationale for, a wide range of common commercial contract provisions. Their commentary is illuminating for anyone who deals with those types of provisions. I have practiced law for more than 35 years. I wish that a resource like this had been available to me when I began to practice. I recommend it wholeheartedly to anyone, lawyer or non-lawyer, who would like to increase his or her understanding of commercial contracts." Richard Cogen, Esq. Partner Nixon Peabody, LLP OTHER BENEFITS OF THIS BOOK This book also facilitates the creation of a project or transaction specific Contract Management Plan. ("CMP"). A CMP is essentially an internal document prepared by either the Company or the Contractor for use by their respective employees in managing the transaction that is the subject of the Contract. The CMP is not shared with the other party since it deals exclusively with the internal considerations and mechanics associated with one party's administration and management of its rights and responsibilities under the Contract. The CMP supplements the Contract and also permits a documented methodology for applying lessons learned from past transactions.

This book provides a comprehensive commentary and guidance to readers on the current edition (1999 Edition) of General Conditions of Contract for Civil

Engineering Works (the "General Conditions"), which the Hong Kong Government uses for all its civil engineering contracts. The book describes 46 out of 90 clauses in the General Conditions and their practical application, with explanations in plain and simple language under such headings as Commentary, Analysis and Application. The listing of equivalent clauses of the more user-friendly English ICE Conditions and the international FIDIC Conditions together enables the readers to understand the meaning of the General Conditions from a different context. For those readers who find it easier to read in Chinese, the translation will help them to compare with and understand the original English text. The book is therefore useful to students, consulting engineers, surveyors and lawyers who want to understand more about the Hong Kong construction practice.

The new Edition 3 of GC/Works/1, the Government conditions of contract for building and engineering works, came into use on 1st April 1990. Bearing little resemblance to the previous edition first published in 1977, Edition 3 has introduced a number of important new features. In addition to being widely used for Government work, the new contract is likely to be adopted by local authorities and by those private employers favoring the firm control offered by the new conditions. Written by one of the country's leading experts on the contract, this book provides a clause by clause commentary and

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legal background for all those who need to understand the new form.

A Practical Approach to Conditions of Contract for Civil Engineering Works  
Hong Kong University Press

The new third edition of the General Conditions of Contract for Construction Works (the GCC 3rd Edition 2015) will replace the GCC 2010. By clarifying certain contract administration procedures and refining some of the risk appropriation clauses, amongst other things, the new GCC 3rd Edition 2015 states that the Contractor's time risk allowances must be indicated on the Programme of Works. It also permits the Contractor to suspend the Works if the Employer fails to make payment on a payment certificate, and includes delay and cost due to excepted risks as an entitlement that the Contractor may claim. A Variable Performance Guarantee is added to the list of securities and it allows for the selection of inflation indices that are appropriate to the type of Works to be carried out. The amendments and use of simpler and more concise wording in the latest edition should also ensure that GCC 3rd Edition 2015 will remain relevant in the future and will provide supportive contract administration and the equitable appropriation of risks. The GCC 3rd Edition 2015 are to be used with the contract documentation format as prescribed by the Construction Industry Development Board in the Standard for Uniformity in Construction Procurement and in conjunction with SANS 1921 to set out the requirements and constraints relating to the manner in which the contract work is to be performed -- Publisher's description.

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Dispute boards were first introduced almost 20 years ago. Since then close to \$100 billion US dollars worldwide has been spent on construction projects that have used dispute boards. Of these, 98% were constructed without any court battles and of the remaining 2%, the dispute board decisions were upheld by either arbitration and/or the court: a truly impressive record. Yet very little is known about what dispute boards are and how they operate. This book provides the knowledge necessary for those actively involved in dispute board work as well as for those who need to learn the process. Important features of the book include: analysis of the differences between dispute adjudication boards, dispute resolution boards and combined dispute boards in-depth discussion of both the existing and historical international case law on dispute boards, including its history under the British common law, European civil law and Muslim Shar?'ah law analysis of the differences between the various major standard forms of dispute board rules – FIDIC, International Chamber of Commerce and DBFederation - along with sample wording to add to or modify these forms as needed. analysis of how referrals are made to dispute boards and sample forms. an in-depth discussion of the ethical requirements relating to dispute board members comparison of board selection techniques with guidelines for implementation and recommendations for the parties sample forms for use in establishing a dispute board discussion of site visits, how they should be conducted and sample forms general forms for use in operating a dispute board, form agendas, form reports and their use how to use a dispute board as a

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sounding board for grievances in depth discussion of how to write a decision or recommendation with examples of actual dispute board decisions and recommendations disclosure forms, questionnaires for potential board members, and comparison of board member agreements and sample forms a discussion of how to effectively use witnesses and the preparation and presentation of witness statements in dispute board hearings forms of notice and procedural rules governing the operation of dispute boards international case studies with claims, responses and decisions analysis of situations requiring the removal of dispute board members and form agreements for their removal discussion of the use of dispute boards in areas other than construction. A research study was conducted to examine the methods being used by selected Federal agencies, State Departments of Transportation, and Cities to address time in their contract documents. The data for this study was obtained by review of construction contract general provisions as provided by the various contracting offices. This study examines the general conditions provisions of various owner, compares and analyzes each type of clause, and makes recommendations on fairness of the clause to both parties to the contract. The information derived from this study can be used as reference material by those agencies in the process of, or contemplating, revising their current contract documents concerned with time in construction contracting.

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