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Building Contract Administration – Variations and Extensions of time

Wednesday 22 July 2009

8.45am –12.45pm

Grace Hotel, 77 York Street, Sydney

Course cost includes tuition, materials and refreshments **\$352**

I cannot attend but please provide the papers **\$165**

Total Price includes GST **Total \$**

Payment Options

I enclose a cheque payable to "CLE, UNSW",

or Payment by credit card Mastercard Visa

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**CLE,
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Email: cle@unsw.edu.au

Website: www.cle.unsw.edu.au

Programme Variation: The Director of CLE retains the right to vary the programme to deal with unforeseen circumstances. This includes cancelling or re-scheduling a programme and changing speakers or content if occasion obliges us to do so.

Cancellation Policy: Cancellations will be accepted up to two weeks prior to the commencement of the course. Withdrawal after this time and before the commencement of the course will result in a cancellation charge of \$100. Cancellations after the commencement of the course will not be eligible for a refund.

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THE UNIVERSITY OF
NEW SOUTH WALES

FACULTY OF LAW

CONTINUING LEGAL EDUCATION

Building Contract Administration – Variations and Extensions of time

Wednesday 22 July 2009

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77 York Street, Sydney

www.cle.unsw.edu.au

Audience

- Building and Construction specialists
- Litigation Solicitors
- Solicitors in general practice
- In house lawyers in building & development firms
- Building and Construction Barristers
- Local Government lawyers
- Architects
- Interior Designers
- Architects and engineers who act as expert witnesses
- Planners
- Civil and Structural Engineers
- Contract, construction and project Managers, contract negotiators
- Engineers
- Certifiers

Objective

In this seminar we examine contract terms and conditions as they effect the discharging of contractual obligations in the administration of the contract.

We explore key terms of the contract in operation. The Architect or Superintendent of works will have the source of their power in the Contract. Variations and Extensions of time are processes at the centre of construction process which must be carefully managed and understood.

The concept of variation is at the core of the Building & Construction Industry. The contract effectively evolves and the parties have agreed to accommodate these changes without destroying the contractual relationship.

In such capital intensive work time is money and extensions of time are expensive concessions. How these are allowed and at whose cost is the consequential variation determined. The Extension is another distinguishing aspect of the Building contract.

Recent developments in the law and regulation of the building and construction industry are a central part of our focus at this seminars.

CLE/CPD Points: Four (4)

Building Contract Administration – Variations and Extensions of time

Wednesday 22 July 2009

8.45am Introduction from the Chair

Chair: John BAARTZ, Partner
Arthur Allens Robinson

8.55am

Topic 1: Issues in Contract Administration

Speaker: Brendan HOFFMAN, Partner, Gadens

- The contract administrator's dual role
- Obligations and powers of the contractor administrator generally
- Typical issues arising in the administration of construction projects
- Challenging decisions of the contract administrator

9.45am

Topic 2: Variations to Workslope under Construction Contracts

Speakers: Jennifer TURNER and Katherine SHEPPERD, Senior Associates
Mallesons Stephen Jaques

- What is a variation?
- Power to vary
- Limitations on power to vary: common law, contractual and right to omit work
- Procedural requirements
- Valuation of variations

10.35am Morning Tea

10.55am

Topic 3: Time Related Issues under Construction Contracts

Speakers: Jennifer TURNER and Katherine SHEPPERD, Senior Associates
Mallesons Stephen Jaques

- Commencement
- Performance and progress
- Delays and extensions of time
- Practical completion
- Delay costs
- Liquidated damages

11.45am

Topic 4: Challenging determinations of the Consumer Trader and Tenancy Tribunal

Speaker: Glen MILLER QC, Barrister
Martin Place Chambers

- Jurisdictional transfer to District Court
- Denial of Procedural Fairness
- Errors of Law

12.45pm Questions and Close

For more information visit our website: www.cle.unsw.edu.au