

-SQA-SCOTTISH QUALIFICATIONS AUTHORITY

HIGHER NATIONAL UNIT SPECIFICATION

GENERAL INFORMATION

-Unit number-	4640969
-Unit title-	STANDARD FORMS OF CONSTRUCTION CONTRACTS
-Superclass category-	TF
-Date of publication- (month and year)	MAY 1999
-Originating centre for unit-	SQA

-DESCRIPTION-

GENERAL COMPETENCE FOR UNIT: Analysing the requirements of standard forms of contract with particular reference to the JCT 98 Standard Form of Building Contract and its Scottish equivalent.

OUTCOMES:

1. recommend suitable procurement routes and standard forms of contract;
2. describe the rights and obligations of interested parties with reference to the JCT 98 Standard Form of Building Contract and its Scottish equivalent.
3. describe the provisions, consequences, and when appropriate, remedies for non-compliance with specific clauses in the JCT 98 Standard Form of Building Contract and its Scottish equivalent.
4. describe the procedures and list the documentation for procurement of nominated and domestic sub-contractors in Scotland.

CREDIT VALUE: 1.0 HN Credits

ACCESS STATEMENT: Access to this unit is at the discretion of the centre. Prior knowledge and practice of contract procedures would be of benefit to the candidate.

Additional copies of this unit can be obtained from:

The Committee and Administration Unit, SQA, Hanover House, 24 Douglas Street, Glasgow G2 7NQ, (Tel: 0141-242 2168).

At the time of publication the cost is £1.50 per unit (minimum order £5.00).

HIGHER NATIONAL UNIT SPECIFICATION**STATEMENT OF STANDARDS**

Unit number: 4640969

Unit title: STANDARD FORMS OF CONSTRUCTION CONTRACTS

Acceptable performance in this Unit will be the satisfactory achievement of the standards set out in this part of the specification. All sections of the statement of standards are mandatory and cannot be altered without reference to SQA.

OUTCOME

1. RECOMMEND SUITABLE PROCUREMENT ROUTES AND STANDARD FORMS OF CONTRACT

PERFORMANCE CRITERIA

- (a) The analysis of given projects in terms of the suitability of procurement routes and forms of contract is correct.
- (b) The recommendation of procurement routes is appropriate for given projects.
- (c) The recommendation of forms of contract and documentation is appropriate for given projects.

RANGE STATEMENT

The range for this outcome is fully expressed within the performance criteria.

EVIDENCE REQUIREMENTS

Oral or written evidence indicating knowledge and understanding of forms of contract.

This will be evidenced by the candidate:

- analysing 5 projects from the following list of contract arrangements and recommending suitable procurement routes, forms of contract and documentation: traditional, design and build, management contract, measured term contract, prime cost contract, joint ventures and partnering.

OUTCOME

2. DESCRIBE THE RIGHTS AND OBLIGATIONS OF INTERESTED PARTIES WITH REFERENCE TO THE JCT 98 STANDARD FORM OF BUILDING CONTRACT AND ITS SCOTTISH EQUIVALENT

PERFORMANCE CRITERIA

- (a) The rights of interested parties under the JCT 98 Standard Form of Building Contract and its Scottish equivalent are described correctly.
- (b) The obligations of interested parties under the JCT 98 Standard Form of Building Contract and its Scottish equivalent described correctly.

RANGE STATEMENT

Interested parties: employer; contractor; principal contractor; architect; planning supervisor; quantity surveyor; clerk of works; and site fire safety co-ordinator.

EVIDENCE REQUIREMENTS

Oral or written evidence of the ability to describe the principal rights and obligations of interested parties under the JCT 98 Standard Form of Building Contract and, where applicable, The Scottish Building Contract. This will be evidenced by the candidate:

- listing against each interested party their principal rights and obligations under the JCT 98 Standard Form of Contract and, where applicable, the Scottish Building Contract, with a brief explanation of each.

OUTCOME

3. DESCRIBE THE PROVISIONS, CONSEQUENCES, AND WHEN APPROPRIATE, REMEDIES FOR NON-COMPLIANCE WITH SPECIFIC CLAUSES IN THE JCT 98 STANDARD FORM OF BUILDING CONTRACT AND ITS SCOTTISH EQUIVALENT

PERFORMANCE CRITERIA

- (a) The provisions of specific clauses in the JCT 98 Standard Form of Building Contract and its Scottish equivalent are described correctly.
- (b) The consequences of specific clauses in the JCT 98 Standard Form of Building Contract and its Scottish equivalent are described correctly .

- (c) The remedies for non-compliance with specific clauses in the JCT 98 Standard Form of Building Contract, and its Scottish equivalent, where appropriate, are described correctly.

RANGE STATEMENT

The range for this outcome is fully expressed within the performance criteria.

EVIDENCE REQUIREMENTS

Oral or written evidence, as appropriate, of the ability to explain the provisions, consequences and, when appropriate, remedies for non-compliance with, specific clauses in the JCT 98 Standard form of Building Contract. This will be evidenced by the candidate:

- (i) describing the provisions of specific clauses in the JCT 98 Standard Form of Building Contract/SBCC;
- (ii) describing the consequences of specific clauses in the JCT 98 Standard Form of Building Contract/SBCC;
- (iii) describing the remedies for non compliance, where appropriate, with specific clauses in the JCT 98 Standard Form of Building Contract/SBCC.

This will be done for 4 of the following:

Architect's instructions, extensions of time, financial claims, variations, interim valuations and final accounts, practical completion.

4. DESCRIBE THE PROCEDURES AND LIST THE DOCUMENTATION FOR PROCUREMENT OF NOMINATED AND DOMESTIC SUB-CONTRACTORS IN SCOTLAND

PERFORMANCE CRITERIA

- (a) The procedures for procurement of nominated sub contractors are described, correctly.
- (b) The procedures for procurement of domestic sub contractors are described, correctly.
- (c) The documentation for procurement of nominated sub contractors is described, correctly.
- (d) The documentation for procurement of domestic sub contractors is described, correctly.

RANGE STATEMENT

The range for this outcome is fully expressed within the performance criteria.

EVIDENCE REQUIREMENTS

Oral or written evidence of the ability to explain the procedures and documentation for Nominated and domestic sub-contractors.

MERIT STATEMENT: To gain a pass in this unit, a candidate must meet the standards set out in the outcomes, performance criteria, range statements and evidence requirements.

To achieve a merit in this unit, a candidate must demonstrate a superior or more sophisticated level of performance. In this unit this might be shown in the following ways:

demonstrate a superior or more sophisticated level of performance when:

- (a) recommending forms of contract;
- (b) describing rights and obligations of interested parties;
- (c) describing clauses in JCT 98 Standard Form of Building Contract and the Scottish Building Contract;
- (d) describing the procedures and documentation for procurement of nominated and domestic sub-contractors.

ASSESSMENT

In order to achieve this unit, candidates are required to present sufficient evidence that they have met all the performance criteria for each outcome within the range specified. Details of these requirements are given for each outcome. The assessment instruments used should follow the general guidance offered by the Scottish Qualifications Authority (SQA) assessment model and an integrative approach to assessment is encouraged. (See references at the end of support notes).

Accurate records should be made of the assessment instruments used showing how evidence is generated for each outcome and giving marking schemes and/or checklists, etc. Records of candidates' achievements should be kept. These records will be available for external verification.

SPECIAL NEEDS

Proposals to modify outcomes, range statements or agreed assessment arrangements should be discussed in the first place with the external verifier.

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HIGHER NATIONAL UNIT SPECIFICATION**SUPPORT NOTES**

Unit number: 4640969

Unit title: STANDARD FORMS OF CONSTRUCTION CONTRACTS

SUPPORT NOTES: This part of the unit specification is offered as guidance. None of the sections of the support notes is mandatory.

NOTIONAL DESIGN LENGTH: SQA allocates a notional design length to a unit on the basis of time estimated for achievement of the stated standards by a candidate whose starting point is as described in the access statement. The notional design length for this unit is 40 hours. The use of notional design length for programme design and timetabling is advisory only.

PURPOSE The purpose of this unit is to introduce candidates to standard forms of contract. It is suitable for those with no previous experience of standard forms of contract, but candidates would benefit from a prior knowledge of building contract procedures generally.

CONTENT/CONTEXT The unit should be presented in an industrial context and all work based on actual or realistic hypothetical buildings of straightforward layout and simple construction.

Candidates who have not undertaken any previous Law units should be presented with information related to basic Scots Law and the formation of contracts under the Scottish Legal System.

Candidates should be encouraged to make use of JCT Standard Forms of Building Contract and The Scottish Building Contract.

To assist in the integration of outcomes and performance criteria all teaching and assessment work should be based on one or more building projects.

Corresponding to outcomes 1-4:

1. This outcome should provide the candidate with the skills to justify and recommend standard forms of contract and relevant documentation.

The list of contract arrangements is to include: traditional, design and build, management contract, measured term contract, prime cost contract, joint ventures and partnering.

2. This outcome should provide the candidate with the skills to list the rights and obligations of interested parties to the contract including employer, contractor, architect, planning supervisor, principal contractor, quantity surveyor, clerk of works, and site Fire Safety Co-ordinator.
3. This outcome should provide the candidate with the skills to assess the provisions, consequences and remedies for non-compliance with clauses in JCT Standard Form of Building Contract for the following: architect's instructions; extensions of time; financial claims; variations; interim valuations and final accounts; practical completion.
4. This outcome should provide the candidate with the skills to analyse the procedures and documentation associated with nominated and domestic sub-contractors in Scotland.

APPROACHES TO GENERATING EVIDENCE A single extended composite assignment, containing a number of clearly identified tasks could be used to generate evidence for all outcomes and performance criteria. Candidates could be presented with a series of client requirements, and on-site events for which responses to letters are required. The extended assessment should be open book.

Alternatively each Learning Outcome can be assessed individually.

ASSESSMENT PROCEDURES Centres may use the Instruments of Assessment which are considered to be the most appropriate.

EXEMPLARS An example of a suitable extended assignment, covering Outcomes 1-4 is provided below.

Using a given set of client requirements, and post-contract events, candidates could be required to complete the following tasks:

Task 1 (covering all performance criteria of Outcome 1)

Give reasons for using specific contract procurement routes in response to queries from a client.

In completing the task the candidate will play the role of an adviser to the client.

Task 2 (covering all performance criteria of Outcome 2)

In response to queries from the client the candidate, as adviser to the client, will outline the rights and obligations of various interested parties to the contract.

Task 3 (covering all performance criteria of Outcome 3)

As a result of various post-contract events, the candidate will give advice to the client.

Task 4 (covering all performance criteria of Outcome 4)

In response to a query from the client, the candidate will give advice to the client related to nominated and domestic sub contractors.

PROGRESSION This unit is a core component of the Quantity Surveying HND and HNC.

REFERENCES

1. Guide to unit writing, SQA, 1993 (Code: A018).
2. Guide to assessment, SQA, 1993 (Code: B005).
3. Guide to certification, SQA, 1996 (Code: F025).
4. Notes for unit writers, SQA, 1995 (Code: A041).

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