

FEDERAL UNIVERSITY OF TECHNOLOGY, MINNA
SCHOOL OF ENVIRONMENTAL TECHNOLOGY
DEPARTMENT OF QUANTITY SURVEYING



FIRST SEMESTER EXAMINATION 2018/2019 SESSION

COURSE CODE: QTS315 COURSE TITLE: *Construction Law I*

TIME ALLOWED: 1 Hour 30 minutes

CREDIT LOAD: 2 Units

INSTRUCTION: Answer three questions only

Question 1:

(a) State and discuss the obligations of parties to a construction contract in Nigeria? **(10 marks)**

(b) FUT, Minna constituted a Committee to submit the requirements for the construction of a viable Dam on the University land. Prof. Moses Salami who is S Dean, Faculty of Quantity Surveying Chaired the Committee. The Chairman requested for Bill of Quantities (BOQ) and the drawings from QS Quadri who submitted one to assist the work of the Committee.

An advertisement for tender was released and QS Quadri bid but was not successful. Arch. Okorie was awarded the contract and commenced work on the basis of QS Quadri's submitted BOQ and drawings. What advice will you offer QS Quadri because he wants to sue the University and Arch. Okorie. **(10 marks)**

Question 2: What do you understand by Terms of Contract? Explain the terms implied in Construction Contract? **(20 marks)**

Question 3:

(i) Discuss arbitration and the extent of its application in the construction industry in line with Arbitration and Conciliation Act (LFN) 2004. **(10 marks)**

(ii) What are the grounds for setting aside an arbitral Award? **(10 marks)**

Question 4:

Explain any two of the following in relation to contractual obligations **(10marks each)**

(a) Quantum meruit (b) Damages (c) Performance (d) sub-contract (e) Right of payment and Time of payment.

Question 5:

FUTMinna is an educational institution owned by the Federal Government of Nigeria whose head office is located in Gidan Kwano, Minna, Niger State. FUTMinna on 1st June, 2019 awarded the contract for the construction of an Energy Resource Centre at cost of N500million to the firm of Flatman Ltd at No 10 Waff Road, Portharcourt in River State Nigeria.

As an expert in Construction law, draft the following clauses as part of the contract: Commencement and Payment clauses for the parties. Do not forget to get the contract signed.

(20 marks)