



SRI LANKAN CONSULTING ENGINEER



Newsletter of the Association of Consulting Engineers, Sri Lanka
(Founded in 1980, Incorporated by Act No. 42 of 2003)

A Member Association of
the international Federation
of Consulting Engineers

July 2006

Issue 15

KEEP IN TOUCH WITH THE ASSOCIATION OF CONSULTING ENGINEERS, SRI LANKA

COUNCIL MEETINGS & ACTIVITIES

The following Council meetings were held during the period 1st August 2005 to 20th January 2006.

- Council Meeting No. 185
- Council Meeting No. 186
- Council Meeting No. 187
- Council Meeting No. 188
- Council Meeting No. 189
- Council Meeting No. 190

The Annual General Meeting was held on 20th January 2006 at which the Council for the year 2006/2007 was elected.

The following Council meetings was held during the period 21st January to 31st May 2006.

- Council Meeting No. 191
- Council Meeting No. 192
- Council Meeting No. 193

At the Council meeting No. 191 held on 2nd February the following office bearers was elected.

- Mr. D.P.T. Munasinghe - President
- Mr. K. Suntharalingam - Vice President
- Mr. B. Senaratne - Hony. Secretary
- Mr. R.M.A. Senarath - Council Member
- Mr. Upali Delpechitre - Hony. Treasurer
- Mr. H.P.R. Gunawardena - Council Member
- Mr. T.P. Ranaweera - Council Member
- Mr. G.E.M. Gomez - Council Member
(Editor)
- Mr. T.G. Perera - Council Member

The main activities of the Association during this period was:

- Successfully organized a two day course on "Practical use of the new FIDIC Contract Document" on 15th and 16th March 2006 at Taj Samudra Hotel, Colombo.

- Arranging a talk by Mr. Peter Silbernagl on the topic was the event was held at the IESL Auditorium.
- Establishing a web site of the Association of Consulting Engineers, Sri Lanka. The web site can be accessed at :

EDITOR'S NOTE

5th June 2006 was year anther Environment observed that through out the world. A photograph taken on that day showing 2 Thai youth piggy backing 2 bikkhus across a road, waist deep in muddy water, was a grim. Reminder of the environment that we are not living in.

Consulting Engineers are always called upon to plan, design and build large engineering works which always have an impact on the environment. Despite the fact that all such projects would have gone through the process of an Environment Impact Assessment prior to approval of the project, the global environment is still being adversely affected causing unpredictable climate change, unprecedented ram storms followed by floods and mud slides, unusually long drought in areas where dry periods are common. The Sri Lanka Consulting Engineer has his own share of commitment to protecting the environment. All such efforts no doubt correct be fruitful sunless there is sufficient by the Government in enacting adequate laws that favour the protection of the environment. Same example of environmental degradation in Sri Lanka over which the consulting Engineer has not control are :

- ☒ Uncontrolled sand mining in rivers
- ☒ Coral mining is certain coastal areas
- ☒ Sedimentation of rivers and reservoirs by soil erosion caused by removal of tress and other land cover in many river basins.

❏ Interfering with the drainage capacity of any natural waterway by ill conceived construction (like prawn farms) large factory complexes and poorly designed roadways.

❏ Inadequate provision of road drainage waterway in highly urbanized areas which are more compounded by the more severe rain storms that occur now.

It is therefore the duty of the consulting engineer to be more vigilant. There is the past to ensure that the designed project has adequate instigatory measures incorporated so that the project when completed will continue to be in harmony with the environment which prevailed prior to construction.

Course on "Practical use of the New FIDIC Contract Documents"

The Association of Consulting Engineers, Sri Lanka is association with FIDIC, organized the above two day course on 15th and 16th March 2006 at Taj Samudra Hotel, Colombo. The programme was conducted by Mr. Andrew Cochrane, M.A. (Contab.), CEng., FICE, FCI Arb, FCI, FILT, FHKIE of the International Federation of Consulting Engineers (FIDIC)

The course was meant to contribute to capacity building of all professionals in the local construction industry, and enhance the administration capabilities of the parties to a contract. The largest audience was consultants, project managers/directors, engineers, arbitrators, Quantity Surveyors and other relative professionals engaged in contract documentation and administration.

The programme of the course in given bellow:

**15 – 16 MARCH 2006
AT TAJ SAMUDRA HOTEL
COLOMBO**

Day 1

Introduction to NEW FIDIC Documents (Construction/Design-Build Contracts)

- Background and reasons for change
- Examination of format and content of General Conditions
- Examination of Guide to Particular Conditions
- Annex to documents
- Selection of appropriate Contract

Responsibilities of Main Parties

- General issues
- Responsibilities of the Employer
- The Engineer
- The Contractor
- Nominated Sub-Contractor

13.00-14.00-Lunch

Management of Projects - Key Areas Workmanship and Time

- Staff and Labour
- Plant, Materials and Workmanship
- Commencement, Delays and Suspension
- Tests and Defects liability

Day 2

Financial Clauses and Procedures

- Measurement and Evaluation,
- Variation and Adjustment
- Contract Price and Payment
- Guarantees, Bonds
- Insurances

Risks, Force Majeure & Termination

- Termination by Employer
- Suspension & Termination by Contractor
- Risks and Responsibilities
- Force Majeure

13.00-14.00- Lunch

Claims and Disputes & Arbitration

- Claims procedures
- Disputes Adjudication Board
- DAB Agreement and Procedures
- Amicable Settlement and Arbitration

Difference between FIDIC & Multi-Lateral Development Banks' Construction Contract

Throughout the seminar there will be opportunities for questions, and where appropriate, case studies will be introduced.

Notice of the two day course will conveyed to the public by :

Informing IESL and all relevant garments departments

Informing private sector organizations with the help of the council members

Informing prominent paper notices in the daily press.

The was overwhelming and many prospective particulars who could have benefited significantly from the course, had to be turned down.

The course

Mr. Cochrane commence his presentation by initially describing the documents which will be the bases on which his lectures will pertain to viz FIDIC contract Documents – 1999 Editions of the Red, Yellow Books and the 2005 edition of the Silver Book.

Red Book - Conditions of Contract for Construction

Yellow book - Conditions of Contract for Plant and Build

Silver Book - Conditions of Contract for Construction – MDB Harmonized Edition.

The lectures was conducted in a very systematic manner as indicated in the programme always supported by Power Point Course Overheads. At the end of each session, it was “Question Time”, and a discussion ensued where members sought clarification on many issues by submitting their queries in writing to the lecturer Mr. Cochrane responded clearly to all questions using his won knowledge and by frequently referring to relevant clauses in the Red and Yellow Books. During the entire course a total of 137 power Point overheads were used to explain as many as possible of the problems enabled in Contract Management.

The participant were further updated on a contract document called “The Multilateral Development Bank (MDB) Harmonized Conditions of Contract for Construction”- October 2005. Also called the Silver Book. In order to facilitate reference to this new document, “ a review of the changes in the MDB Edition from the 1999 Conditions of Contract for Construction” (Red Book) has been prepared and published by Brian W. Totterhill, B.Sc(Hons), CEng, FICE, FCI Arb.

The participating Banks are listed in the MDB as:

African Development Bank

Asian Development Bank

Black Sea Trade and Development Bank

Caribbean Development Bank

European Bank for Reconstruction and Development

Inter American Development Bank

International Bank for Reconstruction and Development (The World Bank)

Islamic Bank for Development

..... bank for Development

Some of the changes are based on the experience of the use of the 1999 FIDIC Contracts as well as to meet the specified requirements of the MDB's. these changes are improvements which, where appropriate, could be incorporated into the Particular Conditions for other FIDIC contracts.

Each participant received copies of the following documents in black & white format.

1. Red Book

- Conditions of Contract - for Building and Engineering works designed by Employer
- General Conditions, particular conditions, Sample Forms
- First Edition 1999

2. Yellow Book

Condition of Contract for Plant and Design – Build for Electrical and Mechanical Plant and for Building and Engineering Works, Designed by the Contractor General Conditions, Guidance for the Preparation of Particular Conditions, form of Letter of Tender, Contract Agreement and Dispute Adjudication Agreement
First edition 1999

3. Silver Book

Conditions of contract for Construction MDB harmonized Edition – for Building and Engineering Works Designed by Employee – General condition, particular conditions. Sample form – MDB Harmonized Edition 2005

4. International contracts Training Course – the practical use of the 1999 Edition of FIDIC of FIDIC contract Conditions (Red and Yellow Books) – Course Overheads

5. International contracts training course on the practical use of the 1999 editions of FIDIC contract conditions (Red and Yellow Books) – a Review of the changes made in the multilateral development Bank's contract for Construction.

6. International contract training course – the practical use of the 1999 Edition of FIDIC Contract Conditions- (Red and Yellow Books) – work exercises.

Workshop

Due to the availability of time, the sessions after lunch on the second day was a Workshop organized by the Vice President of the ACESL the highlights of the workshop was:

1. The participants was distributed among ----- group.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.
11. etc

Concluding Remarks by the President ACESL

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By Courtesy of : New Strait Times - Malaysia – A Lesson for Sri Lanka

Water Down the Drain

Many of the 20 million people of Mexico City, which hosted the Fourth World Water Forum, have to make do with running water one hour per week. the conference organizers reported that one in five people in thee world does not get clean drinking water.

The last time Malaysians had to wait in line for water tankers to make their delivery was more than eight years ago. While our taps seldom run dry, the quality of our portable water leaves much to be desired, like almost everyone else on the planet, we buy bottled water and install water filters in our homes.

Our problem is that we have not looked after our water because we have plenty, Neither have we paid sufficient attention to the treatment of waste water, we have given little thought to the environmental consequences of the buildings, dams and roads that we have constructed.

As a result, we have a colossal ecological debt to repay, which is reflected in the polluted conditions of so may of our rivers, sungai Selangor and Sungai Langat, which supply most of the drinking water to the Klang Valley, are in very bad shape.

We can fix this now or we can wait until things deteriorate to the point where water becomes unusable and too expensive to clan up.

The Eighth Malaysia Plan recognized that previous efforts to address the problem had been too fragmented. Hence, the need for an “integrated water resource management” of river basins, because what happens to the land affects rivers, too.

All the agencies responsible for the country’s natural resources have since been put under one roof for better co-ordination indeed, the collaboration of everyone is needed to preserve and restore our rivers.

Since everyone from the federal government to the local councils, form the officials who locate landfills near rivers or allow development in water catchment areas, to the industrialists who flush toxic chemicals and households that dump rubbish into rivers is part of the problem, everyone must become part of the solution.

What is needed is not only a more rigorous approach towards managing our water resources but also sustained and sufficient investment in water and sewerage infrastructure. We will have to get used to the idea that since everyone is responsible for our water woes, everyone will have to pay his fair share of the bill to clean up the mess.

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