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UNIVERSITI TUN HUSSEIN ONN MALAYSIA

**FINAL EXAMINATION
SEMESTER I
SESSION 2013/2014**

COURSE NAME : CONTRACT AND ESTIMATION
COURSE CODE : BFC 31602/BFC 2022
PROGRAMME : 2 BFF
EXAMINATION DATE : DECEMBER 2013/JANUARY 2014
DURATION : 2 HOURS
INSTRUCTION : ANSWER ALL QUESTIONS

THIS QUESTION PAPER CONSISTS OF SIX (6) PAGES

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- Q1**
- (a) Define;
- (i) Law (1 mark)
- (ii) Justice (1 mark)
- (b) Explain how are laws made in Malaysia. (6 marks)
- (c) Compare between the Criminal Law and Civil Law. (7 marks)
- (d) There are legal rules that make up the body of law. Reconstruct the sources of Malaysian Law and give an illustration to support your answer. (10 marks)
- Q2**
- (a) Give the example of the relevant court case for each terms;
- (i) Offer – Unilateral offer (1 mark)
- (ii) A mere invitation to treat – display of goods in shops (1 mark)
- (iii) Acceptance – silence is not an acceptance (1 mark)
- (b) It is crucial that the consideration or object of an agreement must be lawful because if any part of the consideration or object is unlawful, the agreement is void. According to Section 24 Contract Act 1950, examine the criteria for unlawful consideration or object of an agreement. (5 marks)

- (c) On 1st November, Ahmad who lives next door to Hussain called on Hussain and offered to sell his Apple MacBook Pro computer for RM2,000. On 3rd November, Hussain wrote and posted a letter to Ahmad accepting the offer. The letter was not addressed properly. Hence Ahmad received the letter of acceptance on 8th November instead of on 5th November. On the evening of 6th November, Ahmad telephoned Hussain and said “I revoke my offer to you.”

Base on the above statement, please select any **ONE (1)** of the issue below and give an advice:

- (i) Whether Hussain’s acceptance of the offer through the post is a usual and reasonable manner of communicating acceptance under section 7(b) of the Contracts Act 1950. (12 marks)
- (ii) When was the communication of acceptance complete. (12 marks)
- (iii) Was Hussain’s communication of revocation of his offer by telephone on 6th November effective to revoke the offer. (12 marks)
- (d) Damages represent the most common head of remedies claim by an innocent party for breach of contract. Please classify the damages under Part VII; Section 74, Section 75 and Section 76 of the Contract Act 1950. (5 marks)

- Q3** (a) A design-build or turnkey contract is often used to shorten the time required to complete a project. Discuss the advantages and disadvantages of these types of contracts. (5 marks)
- (b) As an engineer in Public Work Department, you plan to execute a project to build a new hospital in Parit Raja. Please outline the step taken in your tendering process. (7 marks)
- (c) Explain the differences between the Table Tender Document, Tender Document and Contract Document. (3 marks)
- (d) According to Clause 43 P.W.D. Form 203/203A (Rev. 1/2010), contractors are entitled for the extension of time when the progress of the works is delayed. Please explain the reasons accordingly. (10 marks)

Q4 Base on Figure **Q4(a)** and Figure **Q4(b)**, take-off the following items:

- (a) Excavation work for clearing the entire site at 150 mm deep and pad foundation. (5 marks)
- (b) Concrete volume for pad foundation, column stumps and ground beams. (5 marks)
- (c) Formwork for pad foundations, column stumps and ground beams. (5 marks)
- (d) Reinforcement steel work for the pad foundations, column stumps and ground beams (in kilogram). (5 marks)
- (e) Links in column stumps and stirrups in ground beam. (5 marks)

- END OF QUESTION -

FINAL EXAMINATION

SEMESTER/SESSION : SEM I/2013/2014

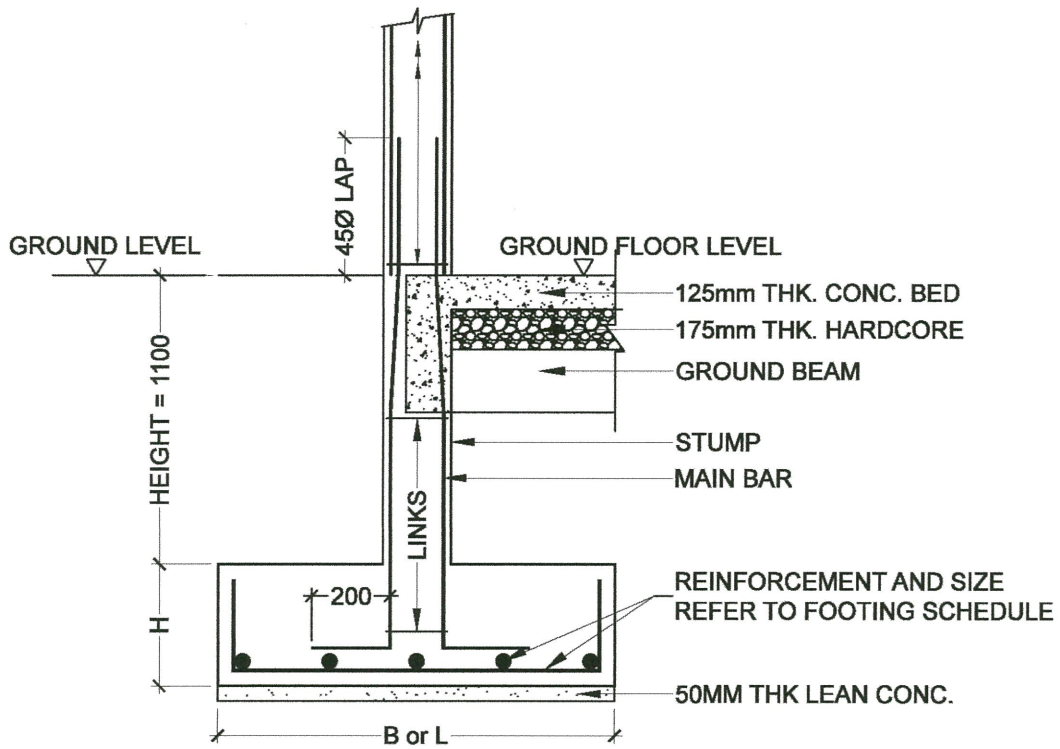
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PAD FOOTING MARK	PAD FOOTING DIMENSIONS			REINFORCEMENT		
	B, mm	L, mm	H, mm	XDirBar	YDirBar	TIES
F1	1000	1000	250	7Y12-150	7Y12-150	-

PAD FOUNDATION REINFORCEMENT SCHEDULE



CONVERSION TABLE FOR ROUND BAR (BS 4449:1997)

Nominal Size (mm)	Cross Sectional Area (mm ²)	Mass Per Meter Run (kg)
06	28.3	0.222
08	50.3	0.395
10	78.5	0.616
12	113.1	0.888
16	201.1	1.579
20	314.2	2.466
25	490.9	3.854
32	804.2	6.313

FIGURE Q4(a)

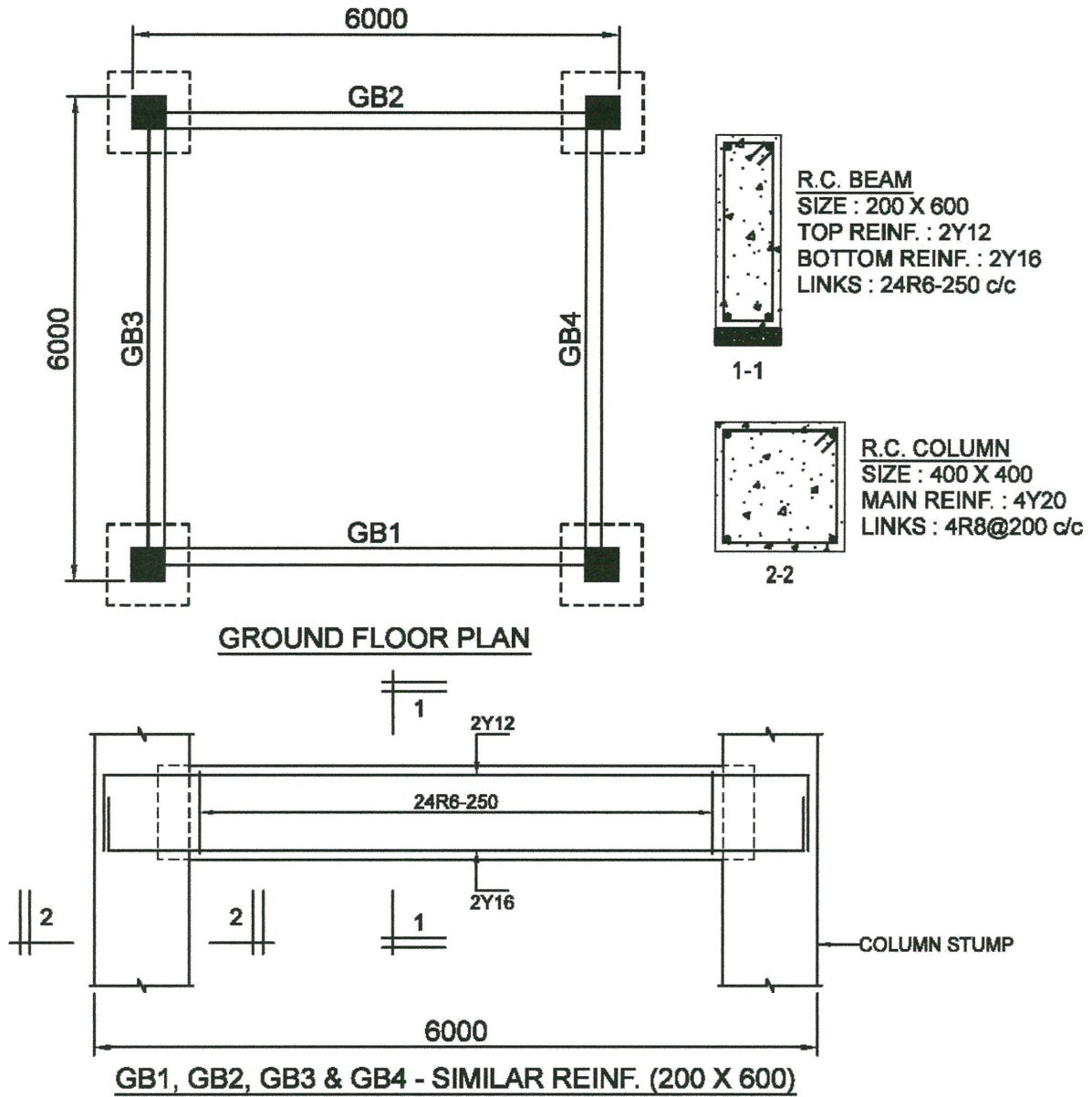
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NOTES

1. Excavate top soil 150mm deep to be deposited 10m from site
2. Concrete cover for pad footing, column stump and ground beam is 50mm thick.
3. Lean concrete shall be of Gr. 7 concrete.
4. Concrete to footings, stumps, ground beams and bed shall be of Gr. 30 concrete.
5. Extra over for excavation in rock shall be 10% of the volume in soil.

FIGURE Q4(b)