

THE NAMIBIA COUNCIL FOR ARCHITECTS & QUANTITY SURVEYORS

ASSESSMENT OF PROFESSIONAL COMPETENCY PAPER 1

THIS PAPER IS FOR ARCHITECTURAL CANDIDATES ONLY

JULY 2019

NOTE:

- This Assessment comprises Paper 1 and Paper 2. Paper 1 comprises 50 marks and Paper 2 comprises 50 marks with a combined total of 100 marks. The overall pass mark required is 75%.
- This is an open book Assessment and candidates may take into the examination room and use whatever Government Gazettes, Contracts, books and other printed public reference material they wish. If in any doubt, all materials brought into the examination room must be declared prior to the commencement of the Assessment.
- Only mathematical calculators are allowed to be brought into the examination room. Under NO circumstances whatsoever may any other electronic devices such as laptops, cell phones, e-books, PDA's, and the like be brought into the examination room or be allowed to be used.
- **All questions must be answered.**
- All answers must be numbered correctly.
- Give full reasons for your answers with reference to relevant contract clauses if applicable.
- The marks for each question are indicative of the points / items that need to be addressed in answering the questions.
- Time Allowed: 4 hours

PLEASE READ ALL QUESTIONS CAREFULLY

The following will be supplied to Architectural Candidates

- ❖ **Relevant Scale of Fees tables to be used**
- ❖ **Payment Certificate Form to be used**

QUESTION 1

15 Marks

Explain the following terms commonly in use in the construction industry:

1.1	Builder's lien	3 marks
1.2	CPAP	3 marks
1.3	Liquidated damages	3 marks
1.4	P C Sum	3 marks
1.5	Preliminaries	3 marks

QUESTION 2

15 Marks

You are the appointed architect for a large residence at Finkenstein. Your client is an important government employee and having heard about the new Namibian General Conditions of Contract, instructs you to draw up the necessary procurement documents using this contract.

Three reputable contractors are invited to submit bids based on the drawings and specifications prepared by you. The submitted bids are inclusive off all domestic sub-contractors and there are no contingencies or escalation allowances included.

The results of the bids are as follows:

- Best Contractors	N\$ 12,545,000.00 incl VAT
- Superb Contractors	N\$ 11,825,000.00 excl VAT
- AlwaysONtime Contractors	N\$ 12,230,000.00 excl VAT

2.1 Advise your Client on the most suitable tender result and the Contractor who should be appointed. **(2 marks)**

2.2 During the construction the Contractor submits a claim to you for an interim payment. His claim comprises the following: **(8 marks)**

- Total Value of Work Done to Date	N\$ 3,500,000.00 excl VAT
- Total Value of Materials on Site in respect of cement bricks, building sand, cement, roof sheeting and pressed steel door frames as per invoices	N\$ 500,000.00 excl VAT
- Invoices for ceramic floor and wall tiles from Obeco for materials stored at their premises	N\$ 575,000.00 incl VAT

You decide to ask your friendly quantity surveyor to check the claim and he values the work and materials as follows:

Gross valued to date including materials	N\$ 4,500,000.00
Less : 10% Retention	<u>450,000.00</u>
	N\$ 4,050,000.00
Less : Previous payments	<u>1,230,000.00</u>
Sub-Total	N\$ 2,820,000.00
ADD : VAT @ 15%	<u>423,000.00</u>
Nett Amount Due	<u>N\$ 3,243,000.00</u>

You note that the quantity surveyor has made some errors and as he is away you decide to rectify the errors yourself.

Correct the errors and prepare a Payment Valuation for submission to the Project Manager for certification. For purposes hereof assume the following:

- The Client decides to appoint Superb Contractors for the project.
- That retention to be withheld is to be 10% of the amount certified with a maximum of 5% of the contract sum
- That the total amount previously certified (paid) is N\$ 1,230,000.00.

NOTE :

- *Please make the necessary assumptions required in order to complete the Payment Certificate.*
- *The Certificate must be fully completed in all aspects – failure to do so will result in the loss of marks!*
- *It is also necessary to briefly explain your calculations!*

- 2.3 Using the Contract Sum of Superb Contractors above calculate your fees up to Stage 4. Assume that there are no disbursements yet as you have not yet received the invoice nor are there any travelling costs. You have claimed nothing previously. Which column would you use and why to calculate the fee **(5 marks)**

QUESTION 3

15 Marks

Explain to your Client in principle how architectural fees are calculated in respect of the different work stages, the respective applicable percentage charges and briefly the main requirements of each stage in order to claim your fee.

QUESTION 4**5 Marks**

In considering the 'White' form of contract, the contractor applies for an extension of time but the Principal Agent does not respond. Practical Completion is achieved some time later and the Principal Agent issues a Payment Certificate reducing the retention amount to 2.5% but also deducts penalties on the face of the Payment Certificate. The Contractor is extremely unhappy with the deduction of the penalties and is of the opinion that the Principal Agent has been negligent in the performance of his duties.

Discuss the rights and options of the parties regarding the above situation.

TOTAL 50 MARKS