

**16 October 2024
(Wednesday)**



Mastering Variation Claims

(with Workshop)

Time : 8.30 AM - 5.30 PM

Venue : **Clarke 1, Level 6
Le Meridien
Jalan Stesen Sentral
Kuala Lumpur**

◆ The benefits

- Speakers Who Are Experienced construction industry practitioners
- Comprehensive Seminar Notes
- Live Questions & Answer Sessions
- Reference to Malaysia Standard Forms of Contract



◆ Who should attend

- Anyone involved in the administration of construction contracts including Architects, Engineers, Quantity Surveyors, Contractors, Subcontractors, Principals, Lawyers, Government Bodies, Employers, Consultants, Project Managers, Suppliers, Planners / Schedulers



◆ What participants have said about Charlton Martin Seminars

- "Comprehensive course material"
- "The Q & A sessions were very practical and related to my work"
- "The content and language used by the speakers was easy to understand and straight forward"
- "The speakers interacted well with the participants"
- "Practical knowledge that helps in my daily work"



◆ CPD & CCD Credit Point

- This seminar qualifies to meet the CPD requirements of the Construction Industry Development Board, Board of Quantity Surveyors Malaysia, Board of Architects Malaysia, Board of Engineers Malaysia and international professions
- HRD Corp Claimable
- An e-certificate of attendance will be issued



SEMINAR CONTENT

Morning Lectures

Session 1 – Defining Variations

- The Terminology
- Reasons For Variation Clauses
- Problems With Variations
- Work Which Is Included in The Contract Scope Thus Cannot Be a Variation
- Errors And Omissions in Bills of Quantities
- Instructions Which Do Not Create Variations

Session 2 – Contract Provisions for Variations

- Standard Forms of Contract Provisions
- The Power to Order Variations
- Orders In Writing
- Order In Writing Condition Precedent
- Confirmation Or Subsequent Sanction in Writing
- The Timing of Variation Instructions
- Is The Variation A Separate Contract?
- Acceleration Instructions

Session 3 – Valuation of Variations

- Criteria For Variation Valuation
- Types of Variation Valuation Clauses
- Basis For Making a Fair Valuation
- Standard Forms of Contract Provisions for Valuation of Variations
- Preliminaries And Overheads
- The Application of the Contract Rates
- Loss And Expense Associated with Variations
- Quantum Meruit – Payment for Invalid Variations

Afternoon Workshop

The afternoon will be dedicated to a practical workshop where participants will be given the opportunity to apply the subject matter of the morning lectures within a simulated live project scenario. Workshop have proven to be a very popular learning medium among participants especially as a means of applying the principles learnt during the lecture sessions.

- What a recent participant said -

“ It was really a fruitful and beneficial seminar. Such a pleasure to have fantastic speakers who answered all my 4 questions clearly during the Q&A sessions. I wish to thank all the team as well for the effort in conducting such a great event.”

“ Cheers for the detailed clarification. I have learnt a great deal of knowledge from the seminar.”

ABOUT THE SPEAKERS

RODNEY MARTIN Bsc, LLB(Hons), MSc, MRICS, FCIArb, FMIArb, FSIArb, FMSAdj

Rodney is an accomplished professional serving as the Chief Executive of the Charlton Martin Group, with a distinguished career that includes roles as Group Regional Director and Senior Vice President at two prominent contracts consultancy firms in the Asia Pacific Region. With an extensive 38 years of experience, Rodney has dedicated 27 years to senior-level roles within this region. Throughout his career, Rodney has cultivated a global perspective by working with diverse clientele across Europe, Africa, the Middle East, and India. His academic foundation includes dual qualifications in quantity surveying and law, complemented by his status as a chartered quantity surveyor. He specialises in construction contract consultancy, offering expertise in contract documentation, contractual claims management, dispute resolution, and dispute avoidance. Rodney's professional credentials extend to being a mediator, arbitrator, and adjudicator on the panel of the Asian International Arbitration Centre. He is a respected speaker known for delivering insightful perspectives within the region's professional circles. Notably, Rodney is a Fellow of the Chartered Institute of Arbitrators as well as the Malaysian and Singapore Institute of Arbitrators, reflecting his commitment to excellence and professional standards. His extensive contributions to the field include appointments as an Expert Witness, on matters related to quantum and delay. As well as his roles as an arbitrator, mediator and adjudicator, Rodney has been a dispute adjudication board member in Malaysia, further cementing his reputation as a trusted authority in dispute resolution. Rodney has been based in Kuala Lumpur since 1997, where he has continually demonstrated exceptional leadership, and a relentless commitment to driving excellence in the field of construction contract consultancy and dispute resolution.



Chief Executive
RODNEY MARTIN



Director
JOHN WONG

JOHN WONG Bsc(Hons), LLB(Hons), Dip. Int. Arb., FCIArb, FMSAdj, MRISM, Reg.QS

John as a Director (Quantum & Delay), Sr. John holds dual qualifications in quantity surveying and law. He is a member of various professional bodies in quantity surveying, arbitration, adjudication, and construction law. Sr. John is a Panel Arbitrator and Adjudicator with AIAC. Sr. John has written articles sharing his practical experience in construction claims and disputes. In year 1996, Sr. John began his career in quantity surveying and since year 1999, Sr. John has specialised in construction contract claims and dispute resolution. In his past employment from 1999-2007, Sr. John was trained by a seasoned construction lawyer in arbitration counsel work and interpreting contracts pursuant to canons of construction. Sr. John's all-round experience as a Quantity Surveyor, Claims Specialist, and Arbitration Counsel gives him an added perspective in excelling as an Adjudicator, Arbitrator and Expert Witness in CIPAA/arbitration/court proceedings. As an Expert Witness, Sr. John has testified in 17 arbitration/court hearings. As an articulate seminar speaker since year 2007, Sr. John has expounded on construction claims. Apart from Malaysia, Sr. John's project experience covers Asia, Mexico, Algeria and the Middle East.

SHAWN CHONG BSc(Hons), PGDip, MSc, MBA, MSc, MRICS, MCIQB, MRISM, ICECA, **SEOW NYEE** Reg.QS, Chartered Construction Manager

Shawn is a well-qualified multi-disciplinary professional with over 35 years of experience in construction, engineering, energy and infrastructure projects. His experience on large scale projects covers many sectors, executed under various contractual arrangements, inter alia, Traditional Contracts, Management Contracting, Construction Management, Design & Build, Turnkey, BOT, PFI and PPP. Shawn specialises in the provision of dispute related services, having previously been employed in two major contract consultancy groups and as senior commercial manager of a large multi-national company where he headed the commercial and risk division, managing and directing operation resources, oversees contract administration, arbitration, adjudication, and other legal matters. The combination of his technical, quantity surveying, project management, IT, law and business administration skills enables him to assist clients in a broad range of issues and maximising the prospects of success in a cost-effective manner. He counsels employers, contractors and subcontractors in commercial, retail, office, residential, civil engineering, industrial park, power plants and airport projects and was recognised for his ability to effectively resolve complex and difficult commercial and contractual matters.



Director
SHAWN CHONG SEOW NYEE

CHARLTON MARTIN – Construction Contracts Consultants

Michael Charlton and Rodney Martin have worked together successfully for more than two decades, the majority of which have been as Chairman and CEO of the Charlton Martin Group. The Charlton Martin Group was established in 2007 with practices in Hong Kong, Singapore and Malaysia, providing services to the construction industry on contractual matters and contract administration; claims preparation; training and seminars; mediation; adjudication and arbitration services; litigation support and expert witness services. The Group is renowned for bringing high standards of integrity and professionalism to the work undertaken in each location.

For further information in regard to the Malaysia practice, please contact
Rodney Martin, Chief Executive of Charlton Martin Consultants Sdn Bhd in Kuala Lumpur
Tel: **603 2287 5175** or email rod.martin@charltonmartin.com. Visit our website: www.charltonmartin.com

REGISTRATION
FORM

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Early Bird Registration with full payment by 16 September 2024 ~ RM1,150 per person

1 - 3 participants RM1,300 per person

4 - 10 participants RM1,200 per person

For registration of more than 10 pax, please call for special rates
Nadiah / Sheila K at Tel: 603 2287 5175 or email seminars@charltonmartin.com

The fee includes lunch, coffee / tea breaks and seminar notes
The fee payable is inclusive of Sales & Service Tax

Seminar Programme

08:30 – 09:05
Registration & Introduction

09:05 – 09:55
Session 1

09:55 – 10:45
Session 2

10:45 – 11:05
Morning Break

11:05 – 12:00
Session 3

12:00 – 12:30
Questions & Answer

12:30 – 14:00
Lunch Break

14:00 – 17:00
Workshop
(Including Afternoon Break)

17:00 – 17:30
Questions & Answer

17:30
Close

Name	Designation	Email
1 _____	_____	_____
2 _____	_____	_____
3 _____	_____	_____
4 _____	_____	_____
5 _____	_____	_____

Company : _____

Address : _____

Company's Stamp & Authorised Signature

Authorised/
Contact person : _____

Designation : _____

Email : _____

Tel : _____

Fax : _____

No. of registration :

1-3 participants : _____ x RM1,300 = _____

4-10 participants : _____ x RM1,200 = _____

Others : _____ x _____ = _____

Payment Details

Payment can be made by online, cheque or direct bank-in to our HSBC account.

For payment by cheque, cheque should be crossed "A/C Payee only" and made payable to :

CHARLTON MARTIN CONSULTANTS SDN BHD

Our bank details are as follows:

RHB Islamic Bank Berhad

Account No. 26409400025612

Payable to CHARLTON MARTIN CONSULTANTS SDN BHD

Note:

- For EFT payment, please add transaction charges.
- For online transaction, please bear respective bank charges.

Terms & Conditions

1. Registration is confirmed upon receipt of registration form and full payment is required before commencement of the seminar.
2. A substitute is welcome in the event the registrants are unable to attend. Refunds less 20% administrative charge will be made for all cancellations received in writing no later than 10 working days prior to the date of seminar.
3. It may be necessary for reasons beyond our control to change the date or cancel the seminar. A full refund will be issued should the seminar be cancelled due to any unforeseen circumstances.
4. Upon signing this form, you are deemed to have read and understood our registration policy and accepted the terms above.