



20th Anniversary Magazine





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Dear Colleagues and Readers,

It is with great pleasure that the Managing Committee of the Mauritius Association of Quantity Surveyors (MAQS) introduce this first edition of the MAQS magazine. It was felt by the MAQS Managing Committee that a commemorative magazine be launched on the occasion of the 20th anniversary of the Association. The launch of a new magazine is always a moment to celebrate and for us this would be an ideal vehicle to build on the success of the Association to date.

We consider that such publication may offer a quality vehicle to deliver the latest news, profiles, feature articles, case studies and detailed trends to our industry professionals. The different articles and contents of the magazine are the products of a blending of the backgrounds, experiences, and opinions of a uniquely diverse group of Quantity Surveyors.

We have been living through extraordinarily challenging times for the local construction industry and with the current development in the construction industry, the need for more creative thinking in Quantity Surveying has never been more urgent. Keeping in par with the global initiatives towards development such as sustainability is vital and the role of the Quantity Surveyor in meeting this end is both timely and imperative.

We intend to make this magazine a regular publication and to use it to keep readers in touch with news and developments by covering the latest ideas and innovations which relate to Quantity Surveying. MAQS aims at allowing its members to mature to their professional status more rapidly by providing support to professional development. It also offers our industry professionals a chance to network and hear from experts on a variety of hot-button topics through the CPD events and workshops. The publication of this



magazine shall add to the tools of MAQS to achieve its aim and help its members excel.

As proactive industry professionals, we all have an intrinsic curiosity to know about every aspect of the development in the construction industry, both locally and overseas. The contributions in the future editions of this magazine will have much to say about these developments and the new challenges. We also look forward to the participation of our members in future editions.

We take this opportunity to express our sincere gratitude and thank

all our sponsors for their valuable contribution. We are also grateful to the authors and editorial committee for sharing their wisdom with the readers of the MAQS magazine.

It is our hope, and expectation, that this magazine will be of great benefit to its readers. Any comments or suggestions will be most welcomed.

And now, we invite you to read and enjoy the first edition of the MAQS magazine.

Normanda Moorogan
Past President of MAQS

20ans ce n'est pas rien !!!

Que de chemin parcouru durant ces 20 dernières années. Certes l'aventure n'a pas débuté 20ans de cela mais bien des décennies auparavant. Cependant 20 ans veut dire beaucoup et peu à la fois. Pour un être humain c'est le passage définitif de l'adolescence à l'âge adulte avec ses choix et ses responsabilités.

La Mauritius Association of Quantity Surveyors (MAQS) naquit de quelques professionnels chevronnés du métier qui avaient à cœur de porter à bien la profession ainsi que d'être le porte-parole de ces nombreuses personnes qui en font partie. Quelle plus belle manière de rendre hommage à ces pères fondateurs qui ont su marquer de manière indélébile notre Association en y consacrant du temps, les ressources et l'effort nécessaires.

Pendant ces 20 dernières années, L'Association a été la cheville ouvrière pour que d'autres regroupements de la profession puissent voir le jour par la suite. Dans ce magazine commémoratif, vous verrez la contribution de l'Association pour la profession : comment à travers le temps elle a su contribuer en mettant en avant tout le savoir-faire de ses membres ainsi que les différents challenges qui agrémentent la profession tel que la prise en compte du développement durable.

Le but de ce magazine est de rester dans la simplicité afin que le lecteur lambda puisse comprendre notre vécu tout en découvrant notre quotidien. L'idée a germé de



manière impromptue mais c'était notre devoir de marquer de manière indélébile cet événement. Certes notre tâche ne fut pas un long fleuve tranquille car elle fut parsemée d'obstacles qu'on a dû surmonter les uns après les autres d'où le lancement qui coïncide avec le 21eme anniversaire de l'Association mais symboliquement on gardera les 20ans !

Les articles sont simples, cohérents et légers. Nous espérons que ce voyage que vous plaira et nous vous souhaitons une bonne lecture !!

Thierry NADAL

Thanks to MAQS Managing committee
Mr. Manish RAJCOOMARSING
Mr. Veerprakash SADEO
Mr. Thierry NADAL
Mr. Vikash NUCKCHEDDY
Mr. Nitin RAMPHUL
Mr. Maheswarnath Y. (Khosla)
NAGGEA
Mr. Normanda MOOROOGAN
Mr. Avinash HEERALALL

Thanks to the Editors.
Mr. DHOOWOOAH
Mr. N. ADOLPHE
QUAD Ltd.

On the occasion of the 20th Anniversary of The Mauritius Association of Quantity Surveyor (MQAS) and as the 11th President of the Association, it is a great honor to address this message to you all. The MAQS has always strived to be the custodian of the interests of the Quantity Surveying Profession and since 1998, the association has made every effort to achieve, as its primary focus, the regrouping of Quantity Surveyors on the island while at the same time ensuring National and International recognition. This would never have been possible without the tremendous effort and dedication of the previous committees as well as the support of members.

Over the years, the MAQS has tried to attain and maintain the following goals amongst others for the profession;

- To Promote the dissemination of Knowledge & a forum of discussion on matters of mutual interest to members
- To encourage closer Co-operation between members of the association
- To communicate with public authorities and seek representation on major deciding bodies at National level
- To assist in regulating and standardising the practice of the profession and encouraging the maintenance of professional standards amongst its members

Over the course of the past 20 years, the MAQS have organised CPD Events, Philanthropic activities, Training session for fresh graduates, tabled white papers at the Budget consultation and maintained a relationship with international bodies. The association has been active and through its events, maintained a poll of 30-40 members at each of their event with a roll of 100 members. In 2013, the Professional Quantity Surveyors' council was enacted in Parliament. This laudable initiative originated in year 2000 from members of the Association when they realised



there was a need to recognise quantity surveying as a profession within the construction industry. It was also important to set up a controlling body that would oversee the Practice. This, in itself, is the legacy of the MAQS. Each and every member who contributed to same should be filled with pride. The hope is that the next generation of Quantity surveyors benefit from these council mandated responsibilities.

The MAQS mission is also to address the challenges and opportunities in the current industry. On one side, we have in the past flagged out to the relevant authorities of malpractice from other practitioners and on the other end, strengthened our relationship with local and international bodies. It is to be noted that, at last year's AGM, the Past President tried to incorporate a corporate membership with the view to increase collaboration between members for bidding opportunities on projects in Africa. Though this initiative may take some time to materialise, we are optimistic about the end result.

The MAQS has also noted an increasing number of new practices and quantity surveyors on the island.

Unfortunately, there are not enough job opportunities for these budding quantity surveyors. In the years to come, it will become important to encourage the Public Sector to employ as many Quantity Surveyors as possible to meet the expectation of new Quantity surveyors on the island.

The coming year will bring its own challenges and the MAQS will assist and support our members in whichever ways possible. We have a dedicated committee to assist you and we encourage members to come to us to find solution or to simply share experiences on how we can improve the association.

I seize this opportunity to wish you all a Happy New Year. We all deserve a well-earned break and I wish you a blessed vacation with your families and loved ones over the upcoming festive season.

My warmest regards and best wishes to all fellow quantity surveyors,

Manish Rajcoomarsing



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Message

On behalf of RICS Group (Mauritius), please accept our heartiest greetings on the occasion of the 20th Anniversary celebrations of the MAQS

The organic synergy that has developed in the recent years between the two institutions is contributing to provide a, hopefully, stronger support to our members.

The RICS is an association, which was set up by senior RICS Professional members (Valuers and Quantity Surveyors) and was registered with the Registrar of Association in 2008 as the RICS Group. The membership of the association is automatic to any resident of Mauritius registered as a member of the Royal Institution of Chartered Surveyors.

The RICS Group (Mauritius) is administered by a Managing Committee, composed of a President, Vice President, Treasurer, Secretary and six members who are elected every year at the Annual General Meeting.

The objectives of the RICS Group (Mauritius) are to:

1. Promote, support and protect the character, status and interests of Chartered Surveyors in Mauritius;
2. Maintain and promote the usefulness of the profession for the public advantage;
3. Secure the advancement and facilitate the acquisition of knowledge and expertise for Chartered Surveyors;

There have been many instances where joint CPD events have been organised together by the MAQS and the RICS to the benefit of our members. The collaboration between the two bodies is being further strengthened by having common managing committee members. The strengthening of the bonds will help us become a voice in the construction business for the people of our profession.

Vikram MOHABEER
RICS Group
2019 President



Retrospective



That dinner organised in a restaurant in 1998 at the then recently opened Caudan Waterfront in Port Louis seems a long time ago...

A few quantity surveyors had got together to review the possibility of starting an association of Mauritian quantity surveyors in order to pool the interests of the profession at large. Indeed, quantity surveyors that evening came from a varied background including contractors, consultants, ministry of public infrastructure, sub-contractors, but all had one goal in common: to set up a forum where all would be represented and participate in an effort to increase the visibility of the profession, and organise various events to achieve this.

Once a show of hands had confirmed everyone's willingness to engage in setting up the MAQS around that Chinese dinner, a committee was set up with a group of volunteers and got down to work.

The most crucial objective that was recognised and agreed upon during those early committee meetings was the need to have our profession recognised by an Act of Parliament, similarly to other liberal professions.

Thus, the best part of 1999 was spent in preparing, reviewing, fine-tuning and editing the draft PQSC Act that was formally presented to the Minister of Public Infrastructure in early 2000. That draft was then submitted to the State Law Office by the ministry as the protocol would have it and it took a full 13 years until the Act was finally promulgated in Parliament.

The profession has taken a completely new dimension with this promulgation since 2013, as it makes quantity surveying a recognised, legal profession, having its own code, Council and Registrar to manage the affairs of the profession on a daily basis. Surveyors now have to register in order to call themselves Quantity

Surveyors and offer their services on the land, whilst firms have to register at the CIDB in order to be in legal practice.

All of the above is excellent for the profession at large, and it is a fact that Quantity Surveying has come a long way since the days when only a couple of firms existed in the 70's, added to a few surveyors working with contractors.

This said, there are plenty of challenges ahead in order to bring the profession to higher standards of ethics and integrity, to provide training and cpd, as well as offering it a higher level of visibility amongst the greater public and spurring on the interest of school leavers to embrace the profession.

Vincent d'Unienville
1st MAQS President

The Contribution of the MAQS to the Construction Industry over the past 20 years

The Mauritius Association of Quantity Surveyors (MAQS) is the one and only association grouping the whole spectrum of people engaged in the Quantity Surveying profession on the local market. Since its advent in 1998, the MAQS has triggered synergy between practitioners in the profession and enhanced communication between practitioners and other stakeholders in the Construction Industry, both at organisational and individual levels.

The MAQS spearheaded the setting up of a regulatory body for the profession soon after its set up. This was a long-lasting venture which involved relentless follow up with the authorities and culminated in the enactment of the Professional Quantity Surveyors' Council (PQSC) Act in 2013 and the enlistment of those who are authorised to practice as professionals in Quantity Surveying in Mauritius. No doubt, with the creation of the PQSC the Quantity Surveying profession was redynamised and Professional Quantity Surveyors earned a new status in the Construction Industry.

The MAQS has played an active role in capacity building in the Construction Industry through the organisation of national seminars/workshops open to all stakeholders in the Construction Industry on various topics such as Alternative Dispute Resolution (ADR), Project Management and FIDIC Conditions. Seminars/Workshops on Project Management and ADR, conducted at around 2004/2005, were forerunners in these fields, and have helped in boosting

these expertises which have gained substantial ground among stakeholders in the Construction Sector.

The MAQS has promoted the expansion of the Quantity Surveying profession by acting as facilitator to tertiary educational institutions during the setting up of Quantity Surveying Courses at technician level. Aspiring professionals in the field were also at one point in time (around 2004/2006) provided with induction courses run by MAQS members. The organisation of CPD events for the development of both Professional Quantity Surveyors and student members has been and still is a recurring activity at the MAQS.

Until the setting up of the PQSC, the MAQS was the only voice of the profession in dealings/discussions with government and semi-government institutions such as the Construction Industry Development Board, the Ministry of Education, the Ministry of Finance, the Ministry of Public Infrastructure, the Mauritius Research Council on matters of mutual interest.

Visibility of the profession at regional and international levels has been initiated by the MAQS through membership of the Africa Association of Quantity Surveyors (AAQS) and International Cost Engineering Council (ICEC) as early as 2002/2004. This has involved participation at international conferences and workshop held by these institutions, and hosting of such events held by these organisations locally. Lately the MAQS led a team in the translation of the AAQS' Constitution in French.

It is reckoned that the MAQS has been instrumental, along with other industry organisations, in the development of the Construction Industry over the last 20 years. Testimony to that effect is the respect and importance given to the Quantity Surveyor by stakeholders in the Construction Industry. The MAQS has grown up from infancy to maturity and is here to keep on playing an active role in the Construction Sector for the betterment of the nation.

Raj Ragoo



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The Setting up of the Professional Quantity Surveyors' Council (PQSC)

It gives me immense pleasure to address this message to you on the occasion of the 20th anniversary of the Mauritius Association of Quantity Surveyors (MAQS). The founding members of the MAQS were the initiating force in the late 90's to regulate the profession of Quantity Surveying (QS) and thus be at par with the profession of Engineers which was regulated prior to the Independence of Mauritius (the Registered Professional Engineers Council Act being enacted in 1965) and the profession of Architect which was in turn regulated in 1988. As for the Construction Industry Development Board (CIDB) Act, it was passed in 2008.

The setting up of a regulatory body for the QS profession has been quite a difficult task and has necessitated numerous brainstorming sessions and consultations with the Ministry of Public Infrastructure, the State Law Office and All the relevant stakeholders over the years. The Professional Quantity Surveyors' Council Act (PQSCA) was finally voted in Parliament on 7th May 2013 and (PQSCA) proclaimed on 16th September of the same year.

The object of the PQSC Act was to provide for the establishment of a Professional Quantity Surveyors' Council. A legislative framework had been rendered necessary due to a number of factors, including a (large rise increase) in the number of Quantity Surveyors and the growth in the construction industry. Presently (7th November 2019), there are 91 Registered Professional Quantity Surveyors authorized to practise in Mauritius, in accordance with the provision of the PQSC Act.

The Act further aims at better serving the profession of Quantity Surveying. The main roles of the PQSC are to:

- Register Professional Quantity Surveyors and publish an annual registry thereof.
- Ensure that a firm of Quantity Surveyors (local or foreign) is in

compliance with the Act.

- Exercise and maintain discipline in the profession of Quantity Surveying, with the assistance and support of such a Professional Conduct Committee as may be set up.
- Be responsible for the updating of professional knowledge and skills in the field of Quantity Surveying through Continuous Professional Development Programmes.
- Be responsible for advancement in the field of Quantity Surveying.



As per Section 7(1)(c) of the PQSC Act 2013, the composition of the Council consists inter-alia of a Professional Quantity Surveyor delegated by the MAQS. With the setting up of the Council in September 2013 up to July 2018, Mr S.Ragoo, the representative of the MAQS, acted as the Chairperson of the PQSC.

Since August 2018 the actual representative of the MAQS on the PQSC, Mr P.Sadeo, is also a member delegated by the Council to represent the Quantity Surveying profession on the CIDB. Having a

member of the PQSC at the CIDB ensures that the profession is being acknowledge on a national level whenever the need arises.

In addition to MAQS representatives delegated on the PQSC under Section 7(1)(c) of the PQSC Act 2013, other members of the MAQS, namely Mr N. Moorroogan and Mr A. L. Gopaul, have contributed significantly to the council during the past 5 years. These two members were initially appointed to form part of the transitional Council at the commencement of the Act as per Section 45 (2) (a). Thereafter the MAQS Members; Mr S. K. Nuckcheddy, Mr M. Y. Naggea, Mr A. Rampersand and Mr M. Rajcoomarsing were elected as Council members under Section 7(1)(b) of the Act.

Following onset of the registration process as per Sections 10 and 20 of the PQSC Act in September 2014, members of the MAQS have contributed enormously as Assessors on the Registration Board.

Members of the MAQS have played a very important role in the setting up of the PQSC and its running to date. Today the Quantity Surveying profession is highly recognized and well-regulated in the construction industry. The PQSC is the regulatory body to ensure that the provisions of the Act are being respected.

The PQSC and MAQS both share the same conviction, that is the continuous progression of the Quantity Surveying profession in Mauritius. The joint 2-day workshop, which was organised on Alternative Dispute Resolution and delivered by a foreign resource person in November 2017 at Maritim Hotel, was a perfect example of how both the Council and the Association can collaborate for the betterment of the profession.

Mr N.K.Padaruth



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WHAT IS QUANTITY SURVEYING?

From the earliest days, people wanted to know what a building would cost before they started the work. Forecasting the cost of building was then a rough and inaccurate exercise until the advent of the Industrial Revolution which triggered the need for more effective costing exercise.

People undertaking building projects became increasingly cost-conscious, be it either private developers concerned with profitability, government organisations concerned with accountability or listed companies concerned with both. Projects also became increasingly complex over the years.

In order to deal with the more sophisticated and dynamic construction scenarios, the "price-in-advance" system was developed and this would be achieved by the preparation of a document which would indicate the quantities for the work. This was done by measuring off the architect's and engineer's drawings. This document would then be submitted to a number of general contractors for calculation of costs for labour, materials, plant, equipment and other items required to undertake the construction works.

This was the origin of the quantity surveyor, whose primary task was the preparation of a "Bill of Quantities" setting out the labour, materials, plant and other requirements expressed in terms of the quantity of finished work to be produced. From this point, quantity surveying developed in the



United Kingdom (and many of its overseas dependencies) into a fully recognised profession.

The quantity surveying profession has largely developed over the last century and it has grown to such an extent that it forms one of the largest divisions in the Royal Institution of Chartered Surveyors (RICS). Today, not only is the quantity surveyor

generally regarded as indispensable on any major building contract, and often on civil and heavy engineering contracts as well, he is also being appointed as project manager or to provide other enlarged services or expertise.

Quantity surveying as a discipline is difficult to define. It is an amalgam of several other disciplines within a

unique context, the construction industry. It embraces economics, law, accountancy, management, mensuration (measurement), information technology, construction and so on, all within the framework of the construction industry.

The quantity surveying profession is regulated worldwide by the Royal Institution of Chartered Surveyors (RICS) and locally the Professional Quantity Surveyors Council (PQSC).

A quantity surveyor can work in three distinct categories;

1. Private practice
2. Government departments, local authorities and other public and parastatal bodies
3. Building and civil engineering contractor

The work and services provided by the quantity surveyor can be described as the financial and contractual management of construction contracts. In a nutshell, his work comprises of the following;

- Preliminary cost advice and approximate estimating
- Cost planning including investment appraisal (feasibility studies), life-cycle costing and value engineering
- Contractual procurement and tendering procedures
- Preparation of contract documentation
- Evaluation and recommendations on tenders
- Contract administration
- Cash flow forecasting, financial reporting and interim valuation of construction work
- Assess variations
- Assess contractor's claims for loss and/or expense, acceleration costs and disruption costs
- Final Account
- Settlement of contractual disputes

In the performance of his duties during and after the construction period of

a project, the quantity surveyor has the duty to ensure that all actions taken in relation to the financial and contractual administration of the contract will be fair to both parties. He must not forget two important facts. First, "fairness" is often a subjective matter so that an action or decision may be seen as fair by one person and unfair by another. Secondly, the quantity surveyor's authority to act rests ultimately upon the terms of the contract and consequently, his actions must always be within the scope of those terms. He must not allow his personal feelings to prevail over his judgement as to the proper application of any term of a contract. He must remember that any unwarranted advantage given to one party is likely to be at the same time an equal disadvantage to the other party.

The foregoing remarks apply particularly to quantity surveyors employed in private professional firms and in the offices of government departments, local authorities and other public and parastatal bodies. Irrespective of the organisation a quantity surveyor works, he should carry out his duties in a professional manner and aim at the highest quality of service. Despite the pressures of a highly competitive business world, as a member of a respected and worthy profession, the quantity surveyor should be entirely honest and impartial.

The quantity surveyor is therefore bound by a strict code of professional conduct and guided by these following principles;

1. Act with integrity
2. Always provide a high standard of service
3. Act in a way that promotes trust in the profession
4. Treat others with respect
5. Take responsibility

The quantity surveyor has a duty in law to exercise proper skill and care in the performance of his professional

services, otherwise he may be liable for damages under the law related to negligence.

As quantity surveyors play a key role in the construction industry, other wide range of skills and expertise have been increasingly in demand. Hence, their services have been required in the following fields;

- Project Management
- Construction Management
- Facilities Management
- Mechanical and Electrical Services Engineering
- Civil Engineering
- Life-cycle costing
- Risk Analysis/Assessment
- Technical Auditing and Cost Accounting
- Fire Loss Assessment or any other Damage Assessment
- Valuations for Insurance
- Dispute resolution

Over the last 150 years and since the creation of the RICS in 1868, the built and natural environments have evolved significantly. Although the role of the quantity surveyor has changed considerably since the Second World War, this is likely to be overshadowed by the changes which will occur in the future. There will be a need for flexibility in order to respond to new demands and opportunities.

However, in spite that the challenges for the profession seem daunting, they represent an immense opportunity for our profession. In all circumstances, there are certain fundamentals that have always united us; our professionalism, technical expertise, ethical judgement and the high degree of commitment we bring to our clients and the construction sector. These core strengths will continue to enable us to meet expectations as a leading profession, shaping the future of our communities and the world.

AVINASH HEERALALL

The Challenges facing the QS Profession

The Architect is responsible for the design of aesthetically pleasing and safe buildings that serve a purpose whereas the Quantity Surveyor is responsible for measuring and pricing the work to be undertaken and the Structural Engineer is responsible for ensuring the building can safely withstand all the forces to which it is likely to be subjected and that it will not deflect or crack unduly in use. Building services are the dynamics in a static structure, providing movement, communications, facilities and comfort and the MEP or Building Services Engineer takes care of them whether they are electrical supply/power/lighting systems or ventilation/air conditioning systems. In short: the Architect makes sure the building looks good, the Quantity Surveyor ensures its construction is economical, the Structural Engineer ensures it will stand up and the Building Services Engineer ensures it is comfortable to live and work.

THE NEED FOR QUANTITY SURVEYING SERVICES

A Quantity Surveyor is an integral part of the professional team in the construction industry.

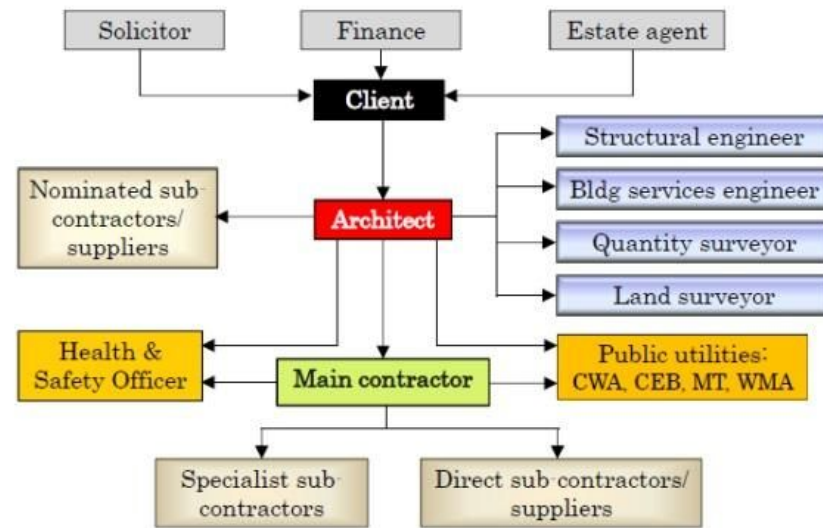
The role of the Quantity Surveyor entails both numerical representation of component quantities and accurate interpretation of design. Quantity Surveyors are required to have in

depth knowledge regarding the main trades, subcontract packages, time and resources and must have the ability to take off drawings and produce accurate estimates (Brook, 2004). Our role is primarily concerned with construction cost in a project from start to finish whether preparing a preliminary estimate and cost plan at the inception of the project or preparing final accounts at delivery stage.

THE CHALLENGES FACING THE PROFESSION

The sweeping changes brought about by digital computing and communication technology during

the late 20th century and early 21st Century is affecting virtually all professions. Quantity Surveyors too have been affected by the information technology revolution. Previously, Architects produced drawings manually to illustrate and generate design proposals and the Quantity Surveyors made use of dimension papers to work out measurement for producing Bills of Quantities. Architects are now making increasing use of computer aided design (CAD) in the form of 2D drafting and 3D modelling for producing project information. This shift from hand drawn drafting to IT-based systems has revolutionised the once labour-intensive bill of quantities



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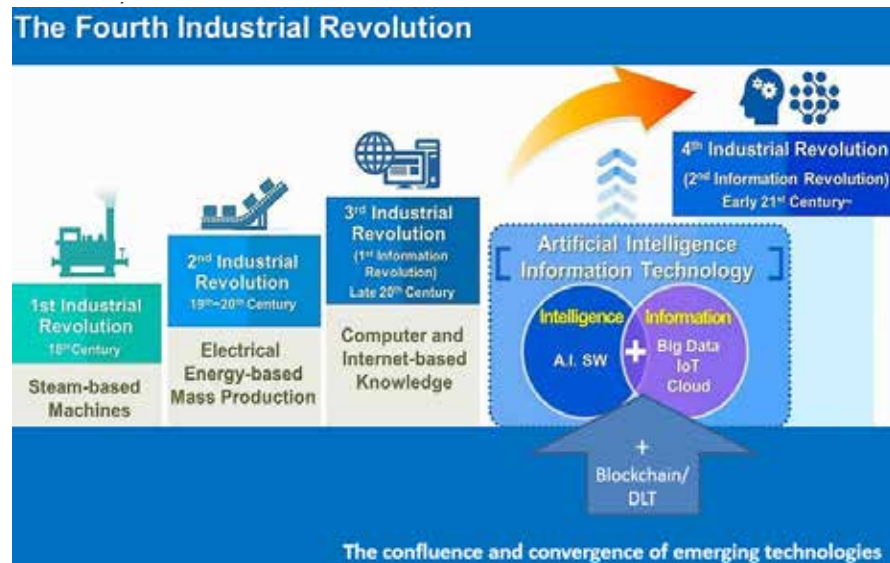
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preparation procedure as software packages have been developed that link the production of drawings and other information to their measurement and quantification.

The spread of the digital economy means that drawings and other project information can be produced, modified and transferred globally. Recently I received an offer from India for outsourcing Bill of Quantities production. Traditionally the QS had a pivotal role in the construction process but it now seems that it has been reduced to a low-cost IT operation. The actual number-crunching work of Quantity Surveyors has been declining over the past few decades as loads of measuring are automated in the current generation of CAD systems.

THE DIGITAL REVOLUTION: BIM (BUILDING INFORMATION MODELLING) FOR QUANTITY SURVEYOR

BIM is all about information about buildings and the built infrastructure. It has the potential to remove many mundane elements of traditional quantity surveying, such as taking off and the production of Bills of Quantities by automating or assisting in these tasks, removing human error, increasing efficiency and promoting collaboration. According to the RICS (2011), BIM enables the Quantity Surveyor to produce quantities in hours/days rather than weeks/months. As Whatmore (2012) highlighted that one of the key benefits of BIM is that it allows the Quantity Surveyor to focus more on other value-adding services for their projects rather than spending up to 80% of their time measuring quantities. Research undertaken by University of Salford emphasizes that BIM delivers a more efficient operational solution for cost estimating, with its ability to link the relevant quantities and cost information to the building model and update them simultaneously to design changes whereas a recent survey undertaken in the Mauritian context by Moolee (2017) revealed



that out of 35 Professional Quantity Surveyors, the majority understands the benefits of BIM even though no one uses it for various reasons.

THE MODERN QUANTITY SURVEYOR

The training and knowledge of the Quantity Surveyor have enabled the role of the profession to evolve over time into new areas such as adjudication, arbitration, value engineering/management and the services provided by the modern Quantity Surveyor now cover all aspects of procurement, contractual and project cost management. This holds true whether the Quantity Surveyor works as a consultant or whether employed by a contractor or subcontractor. Whilst the importance of this expanded role cannot be emphasised enough, success in carrying it out stems from the traditional ability of the Quantity Surveyor to measure and value.

CONCLUSION

However, in the years to come, new skills will be required that will challenge the traditional boundaries of the QS profession, as Quantity Surveyors should be educated in design, 3D modelling and construction technology to be able to resolve construction interface difficulties and cross traditional professional boundaries. Those who graduated in the 1980's like me and had in their vocabulary- scale rule, dimension paper, cut and shuffle will need to

adapt to the 4th Industrial Revolution era with new buzzwords such as 3DS Max Architectural Visualisation, Revit BIM Collaboration and 3D BIM technology and embrace a more cost-effective and efficient way of producing construction cost management services offering significant benefits to the Clients. Else we may take the risk of becoming redundant as BIM software's ability to automate quantities may in time reduce the client's requirements for a Quantity Surveyor.

Vikramaditya C. Jeetah



Expatriation opportunities for Mauritian quantity surveyors

There are vast international career opportunities for Mauritian quantity surveyors willing to consider expatriation.

Our educational background coupled with our bilingualism and comprehension of British, French, Asian and African cultures gives us the potential to do well overseas in a world where versatility and adaptability are key attributes.

Over and above our traditional playing fields of building construction and infrastructure, opportunities also exist in PPP/ Investment projects, M&A's, oil and gas, mining, dam construction, railway, special foundations, demolition works, facilities management and other fields that don't immediately come to mind.

Relevant territories that one can consider currently include the Middle East, and Australia and New Zealand where huge investments in railway and infrastructure are planned for the next 10 years. Quantity Surveying currently figures among the top 20 in demand jobs in New Zealand. We should not forget the African continent, Europe, North America and Asia which may seem more daring to consider but nonetheless also offer interesting opportunities.

Global forecasts predict that the value of construction work is set to almost double by 2030, so the indicators are promising.

Hence, with the increased volume, diversity, complexity and size of projects and associated risks thereto, our expertise is no longer restricted to our traditional role of PQS or

Contractor's QS but now extends to:

- Project Management
- Contract Management (Whilst traditionally only recognized in English speaking countries, this has recently gained recognition in French speaking territories to the extent that French Universities now offer specialized post-graduate courses in Contract Management and the Association Française du Contract Management has also been created)
- Claims Advice, preparation and management
- Alternative Dispute Resolution
- Arbitration
- Facilities Management

That said, whilst a quick internet search provides quick access to a wide range of vacancies to any interested candidate, the most important question is not, what opportunities there are, but rather what is required to make the jump.

The following professional and personal recommendations are worth considering:

- Ideally you should be MRICS qualified
- A Post graduate qualification in Construction Law would also be a definite advantage
- Knowledge of common and civil law jurisdictions
- Good working knowledge of FIDIC suite, CCAG, NEC and other Forms of Contract
- Good contractual writing skills
- Prepared to either live without family or alternatively travel with family and children
- Prepared to work in countries



- where there may be certain health risks or risks of unrest
- Mobility- Prepared to move to a new country/ continent every few years
- Physically fit and able to work in different climates
- On the other hand, the main benefits of expatriation include:
- Professional exposure to complex contracts and projects
- Professional exposure to a wide range of construction professionals from different backgrounds
- Career growth
- Exposure of the individual (and family) to diverse peoples, cultures and countries

Leaving one's home country to work in a foreign land is a very challenging decision and calls for a degree of compromise as well. This is more so for us Mauritians who are very fortunate to call home one of the most beautiful islands in the world.

However, expatriation can be very rewarding from a career, personal and family perspective.

Ajay Gopaul

Contrast between Academia and Professionalism

Both academic and professional qualifications are indicative of some form of achievement, and both entitle the bearer to use certain initials after their name, but beyond that the qualifications are quite different. The most apparent difference is that with professional designations, one must pay dues to the professional association or regulatory body on an annual basis in order to continue to have the right to use the designation of title, whereas with an academic qualification, once the qualification is conferred one does not need to pay anything to the academic institution to have continued use of the academic qualification.

The essential difference between professional and academic qualification is that professional qualifications are work to the highest industry standards whereas academic credentials are not. With professional designations, the certifying body is warranting that the MRICS has the essential knowledge and skills of a specified domain necessary for safe and appropriate practice of the profession. With academic credentials, there is no such 'warrant of competence; an academic qualification means that someone has successfully completed a particular course of study but not that one is competent to practice a profession.

Because professional designations are always built upon a practice analysis which defines what qualifies individuals' need to know or be able to do. Academic credentials are rarely based up on formal and systematic practice analyses. On-going CPD points to another key difference between academic and professional qualification. Academic qualifications are good forever, even when the knowledge and skills are either long-forgotten or made entirely obsolete with the passage of time. By contrast, academic qualifications have no expiry date. For example



RICS require some 20 CPD hours yearly to renew in one form or another. The idea is that qualified individuals must maintain the level of competence required for competent practice. With such professional designations, individuals who fail to maintain their knowledge and skills up to standards, or who fail to document their efforts at maintaining their knowledge and skills, will forfeit their qualification.

In some professions, members are subject to peer review or professional inspections. The idea here is that the professional body goes beyond periodic recertification to ensure that qualified individuals maintain their knowledge and skills currently prevailing.

Another difference between professional and academic credentials is that, in any given jurisdiction, there is only one professional body that issues a given professional title. Academic titles, such as B.Sc., MBA, Ph.D., are granted by a number of different academic institutions each accredited to issue such qualifications.

Research previously carried out by RICS into aligning Professional, Academic and Industrial Development Needs of Quantity Surveyors (Perera and Pearson, 2011) indicated that there are significant disparities between Industry and Academic quantity surveyors in their interpretation of RICS competencies. The industry professionals had very high expectations of the graduate quantity surveyors while the academics thought they fulfilled these requirements.

The RICS (2009a) have clearly defined the level of achievement of competencies required of the Chartered Surveyor. However, there is no such definition for the level of achievement of competencies for the graduate quantity surveyor. This has resulted in individuals and organisations interpreting levels of achievement of competencies each in their own way. These problems and drawbacks are the root cause of dissatisfaction with the quality of graduates expressed by industry professionals.

Nowadays everyone seems to have or wants to have a degree, and there is still a tendency to jump straight into starting one as soon as possible. Therefore, is someone with 3 years solid experience who has completed some relevant industry qualifications during this time a more or less valuable resource that a newly qualified university graduate who has barely stepped foot on a construction site environment before? If you asked most employers if they would select a raw graduate with 4 years in education but no tangible experience, or a college leaver with 3 years relevant experience, I would expect the vast majority would opt for the latter.

The reality is that both have their importance in the Quantity Surveying world and to be a good QS you need to have both academia and practical experience; freshly graduated does not mean that you can handed a project on your own. Nowadays patience is a virtue; a good QS is someone who has been mentored by more experienced people and has learned step by step about doing things and the right step is to start from Trainee/Junior QS to Chartered QS.

For example, let us have a look at the definition of three words: professional, codes and ethics which have principle and a social behaviour.

- Professional is defined as relating to, or belonging to, a profession which is worthy of a professional person; skilful or competent engaged in an activity as a paid occupation rather than as an amateur. Also a professional person is a person having impressive competence in a particular activity. (Oxford University Press, 2004)
- Ethics as MORAL CODE, morals, morality, values, rights and wrongs, principles, ideals, standards (of behaviour), virtues. (The Oxford University Press 1995, 2002)
- Code as a strict social code: MORALITY, convention, etiquette, protocol. (The Oxford University Press 1995, 2002)

Nowadays our society is globalising and borders are without boundary but every country has its own culture related to the business world; therefore, professional codes of ethics are more than a necessity to allow professionals to speak the same language worldwide.

In 2015, CIOB published a survey entitled UNDERSTANDING THE VALUE OF PROFESSIONALS AND PROFESSIONAL BODIES and the research focuses on the important contribution of professional bodies in the view of the public in (the) UK society for the construction industry.

Observations from the research highlighted that the polling of the public found that a vast majority of those who know something about professional bodies agree that professional qualifications help raise standards (83%), compared with 57% of those who have never heard of professional bodies, and, on balance, the Members of Parliament polled believe professional bodies are effective in improving industry performance and productivity, with 35% scoring 4 or 5 on a scale of 1 to 5 (1 being not at all effective and 5 very effective) while just 8% scoring 1 or 2. For effectiveness at raising standards of competency and knowledge, 49% of the Members of Parliament scored 4 or 5.

Importantly the data does show that those MPs and members of the public more familiar with professional bodies allocate far higher scores than those who are not. In the same breath RICS, in 2014, has shown a step ahead by joining the International Ethics Standards Coalition: Creating a universal set of ethics/ principles for real estate and related professions. The aim of a global Coalition of real estate and related professional organisations which have to come together to assert the role of ethics in real estate to meet the needs of today's global market.

From an individual perspective, codes of ethics had become mandatory in the membership

assessment of the construction professional and, according to RICS, behaving ethically is at the heart of what it means to be a professional; it distinguishes professionals from others in the marketplace.

RICS required that all its members must demonstrate that they:

- Act with integrity;
- Always provide a high standard of service;
- Act in a way that promotes trust in the profession;
- Treat others with respect;
- Take responsibility.

The conclusion is that RICS is aware of this issue and it had proposed that academic institutions currently accredited by the RICS and therefore operating within a Partnership agreement, the continuing Partnership manifests itself through a fairly informal, essentially a "light touch" process. The principal interest and intervention on the part of the RICS is targeted at any proposed new programme or programme development(s) put forward by the member institution.

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Stephan Georgette

What does chartered status mean to you?

Welcome to the Club guys!

You are now a Chartered Quantity Surveyor. You may think you have done it but this is not the end. Rather it is the beginning of a great adventure. You either stay on top of your profession or you fade off in this very competitive industry.

Wikipedia defines a Chartered professional as "a person who has gained a specific level of skill or competence in a particular field of work, which has been recognised by the award of a formal credential by a relevant professional organization. The Chartered status originates from Royal Charters issued to professional bodies in the UK by the British Monarch "

Undeniably, Chartered is a brand that has stood the test of time since the 19th Century in the UK and to date it is known and trusted across the world. A chartered professional is a hallmark of quality and excellence and is not to be taken lightly as it requires commitment to highest standards of professional ethics and continued learning , when acting on behalf Clients , Employers or key stakeholders in the industry.

In a 2016 web publication, the SA Property Insider described Mauritius as a firmly established progressive business hub on the global map with a thriving economy, and is becoming a breeding ground for professionals, this despite the fact that this small island in the Indian Ocean only has a population of about 1.3 million inhabitants. 65 % of approximately 120 Chartered Surveyors, are from the field of quantity surveying. The mark of RICS professionals is clearly rooted in our small paradise island.

It is also worth noting that the first practice in the quantity surveying administered by Chartered Quantity Surveyors was set up in the late



1980's and since that date this practice has spread over the years and been a major stakeholder in a large portfolio of landmark building and civil projects. The Chartered Quantity Surveyor has since then been recognized as someone with a particular level of competence in his field , highly regarded by the local construction and property industry and can really open doors.

In an age of increased regulation, ever changing and demanding construction market, where the public spotlight and media scrutiny are never far away, being Chartered helps you stand out from the crowd. It is the pinnacle of one's professional careers built on trust, confidence and ethics, those are "rare herbs" virtues, hard to come by nowadays. The award of chartered Quantity Surveyor status recognises the well-developed skills, knowledge and professionalism of those working within the quantity surveying filed . Gaining Chartered status demonstrates that you have:

- built on your academic successes and developed professional skills in a work environment and are committed to develop or improve your career and skills
- gained in-depth knowledge and critical awareness of your chosen field
- made a significant contribution to the success of your organisation, business or institution
- displayed high personal and professional ethics and integrity

You want to be the very best in the profession isn't it? Then you are bound to raise your games all the times. Act with honor, honesty and above all humility. Your Professional status is protected by law. Treat your colleagues and customers with respect all the times. There is no short cut. The future is bright for those willing to leave their comfort zones.

Enjoy the ride and all the best.
Cheers

Maheswarnath Y. (Khosla) NAGGEA



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From Asst. Foreman to Commercial Director...

In fact, I didn't choose to become a Quantity Surveyor (QS), the profession chose me. It so happened that in June 1990 I was deployed as an Assistant Foreman on a site and the QS came on site for a joint measurement with the Waterproofing subcontractor. As he was in advance for the meeting so I had a chat with him (Pascal Bigara) and asked him about the QS job, the way he described the job it made me feel that, it was the type of profession I would like to choose.

So I seized the opportunity and told him that measurement has always fascinated me and at the Lycée Polytechnique of Flacq where I had just completed my Brevet D'apptitude Professionel (BAP) Metr  was my favourite module. He was also impressed and told me that he was actually looking for a Junior who could help him in the measurements but he would have to talk to the management... and then on 5th Oct 1990 I was told that on Monday 8th Oct 1990 I had to report to the Head Office and from there on my journey of QS started.

As I mentioned above, I was called to join BCE's QS Dept from 8th Oct 1990. On my very first day I met someone from the drawing office who told me that for him QS is a boring job as you do the same thing the whole day. So, I told him but you also only draw lines, arcs, polygons etc the whole life the only difference is that you just put them in different positions to make it look different otherwise it's the same lines of different sizes that you draw. So my first challenge was actually to make myself enjoy my job and the saying of Confucius who said "Choose a job you love and you will never have to work a day in your life" So I have been enjoying and loving my job. Once you focus on the joy even the pain becomes a joy and that's what happened to me.

All projects are landmark projects for a company, I started my career at a time when there was a boom

in the construction industry and then we had to face the reality and I have been through moments where the situation was difficult and you would just grab any project as long as it is helping the company to survive and so in such a situation all projects are Landmark project. Otherwise, the project which has really marked me is the Refurbishment of Le Touesrok hotel in 1993.

That was the project when I was based on site for the first time. We were in Joint Venture with a South African company WBH and there was a tight competition between another Joint Venture company the Grinaker (SA) and Rehm Grinaker finally the contract was awarded to both JVs and another JV was formed which was called the LTJV (Le Touesrok Joint Venture). The project was the biggest project on the island at that time and it was a fast track. The exposure with foreign companies where you had to produce results and work hard up to very late at night did actually forged me.

When I started as an Assistant Foreman with BCE on a 28 March 1990, the Site Agent took me on site and told me that he was leaving me there, and if I was able to work with BCE then I can easily find a job anywhere. Since that very moment I told myself that it was not a job that I needed but a career.

It had not been easy for me at the start as all the universities I was applying were rejecting my application as the BAP was not recognised. So, I had to sit for two A levels and after work I attended tuitions and got my two A levels in 1993, in 1994, I got enrolled with the Chartered Institute of Builders (CIOB) for a QS course and even before I complete my first year, CIOB stopped the course and referred me to the College of Estate Management (CEM) for a Diploma which I completed in 2000.

After my Diploma in QS it just came to my mind that though I left the Lyc e 11 years ago I never stopped studying! So I told myself that I must keep the momentum and I continued and as you said I just completed my LLM in Construction Law and Arbitration last year and this year I just enrolled for a PhD.

Fortunately, I haven't been involved in many disputes but I have resolved a few differences and the rules are the same. I first of all try to catch each side's view point and make them feel my empathising. Once, you do that you have the trust of that person whereby you have to gain his respect by being calm, non-defensive and also react with respect.

The most important aspect in these situations is to get the parties ready to forgive and forget and to move past the difference without holding resentment or anger.

I did my MBA at the University of Reading and as from 2017 I joined their THRIVE mentoring programme which consist of calling past students to Mentor final year undergraduate students. The mentoring is done through a means that is mutually agreed, and in my case it is by WhatsApp, skype and email. The mentoring is done in a structured manner where the mentor and the mentee have to undertake an online training and submit reports from the mentor and also the mentee has to provide a feedback on the mentor. I am actually mentoring a student who will be completing his Undergraduate in QS this year. While I started with this student he was not so much aware of the QS role in the industry now after nearly two years he is going very well with his studies and also understands the challenges of the industry and what's awaiting him.

It's always difficult to determine whether the person sitting in front of you for an interview is the right person. Whenever I conduct an interview to



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recruit a QS, it's not his degree or CV that interest me.

What I try to find is the Human side of who I am going to recruit. By Human I mean someone who is Helpful Understanding Mingling Amusing and Nurturing (HUMAN).

Old command and control work environments didn't demand the kind of flexibility, adaptability, and broad business knowledge that new dynamic work environments do. Desirable candidates, even ones who have the right qualifications -- must be flexible, rapid and eager learners. I also encourage the candidate to talk and especially ask questions as a person is judged not by the answers he gives but by the questions he asks. The questions that they ask also expose their curiosity which is important to understand the candidate in a new book about curiosity, Todd Kashdan notes that curiosity is about "appreciating and seeking out the new. Instead of desperately seeking certainty, it is about embracing uncertainty." Because performers now need to be a great learner, and being voraciously curious about the evolving work environment is the driving force to excellence.

I also feel that the most promising professionals in any field should be ready in adapting to changes in the work environment, since right now change is the only constant in most organisational systems. So I ask for examples of how they were able to grow, shift, and evolve to workplace change in their last position. Adaptability, the capacity to take on new roles and embrace new ways of thinking, are critical when the winds of the economy swirl and my staff should not only understand that but be ready for it.

It's important for me to have information about how the qualities and characteristics of that person align with the skills that are required to succeed in the role. Most important is I try to catch how is the person going to convince me he has qualities that make him unique for that job.

Vikash Nuckcheddy



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D'Assistant à Diplômé et après...

C'est un immense honneur pour moi d'avoir été choisi par le nouveau comité de direction d'écrire ces quelques mots à l'occasion du vingtième anniversaire de la « Mauritius Association of Quantity Surveyors (M.A.Q.S) ».

En 2015, en surfant sur le net, j'ai vu le site web de la « M.A.Q.S ». Cependant, je ne pouvais pas me joindre à l'Association car mon inscription comme membre n'était pas possible. Je n'avais pas de diplôme malgré mes huit années d'expérience dans le domaine.

« L'Échec ne signifie pas que vous n'atteindrez jamais votre objectif, cela signifie simplement qu'il faut un peu plus »- Steve Jobs. Ne jamais abandonner disent-ils. Bien que ne satisfaisant pas les critères d'admission à l'époque, quelque part je savais que tôt ou tard j'allais rejoindre le Club.

Vers la fin de 2017, j'ai décidé de reprendre mes études et me revoilà en 2018 de nouveau sur les bancs de l'école.

Manish Rajcoomarsing me demanda par la suite d'adhérer à l'Association car maintenant je satisfaisais les critères d'admission, ce qui n'était pas le cas trois ans de cela alors qu'il en était le secrétaire.

Des lors, cela a été le début d'une aventure nouvelle et exaltante. Il y a 1 an, je n'aurais jamais parié qu'une année plus tard je serais le secrétaire du nouveau comité exécutif de l'Association après avoir posé ma candidature pour en être élu comme membre exécutif.

Le « Quantity Surveying » est un métier passionnant qui requiert de l'assiduité et comme tout métier, il faut aimer ce que l'on fait.

Malheureusement, il est triste aujourd'hui que cette profession ait perdu ses lettres de noblesse



auprès de nos jeunes qui doivent choisir leur carrière en fin de cycle d'études secondaires. Ils prennent connaissance de ce métier à travers les orientations professionnelles ou en deuxième option car leur premier choix ne satisfait pas les conditions requises pour la profession qu'ils avaient choisie en premier lieu. Donc, le jeune n'ayant pas trop le choix, opte d'étudier ce métier sans en avoir un quelconque intérêt et cela risque d'être néfaste pour la profession.

Personnellement, je crois que la « M.A.Q.S » peut jouer un rôle prépondérant en regroupement et

en fédérant les Professionnels, les Techniciens et les aspirants de cette profession.

J'ai moi-même encore un long chemin à parcourir et je me sens capable de le faire au sein de l'Association qui me soutient et m'apporte conseil. J'encourage d'autres personnes jeunes et non jeunes à nous rejoindre afin de perpétuer la continuité de l'Association.

"Failure doesn't mean you will never achieve, it just means it takes a little longer"- Steve Jobs

Thierry Nadal

Sak travay, so sima



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Challenges Facing female QS

25 years ago I was the only women Quantity Surveyor working on a building site. On the professional front, when I had just started my career the biggest challenge was from the senior members of the industry to whom I had to prove that I was capable of being a site QS. On the personal front juggling the responsibilities of being a young mother and working on site for long hours was also a challenge. However, I must say that I had a lot of support and encouragement from my fellow male colleagues. This made my journey as a young female professional enjoyable and convinced me that attitude towards women in construction was changing and encouraged me to remain in the profession.

Today I can say that these challenges have forged my personality and further motivated me to succeed in this field. I have been very fortunate that I have had the opportunity to work on both the contracting and consulting side of the profession. My advice to young men and women of today is whatever career you decide pursue work with integrity consider challenges as opportunities and the road to success is guaranteed.

Shilpa Hirji Nahaboo



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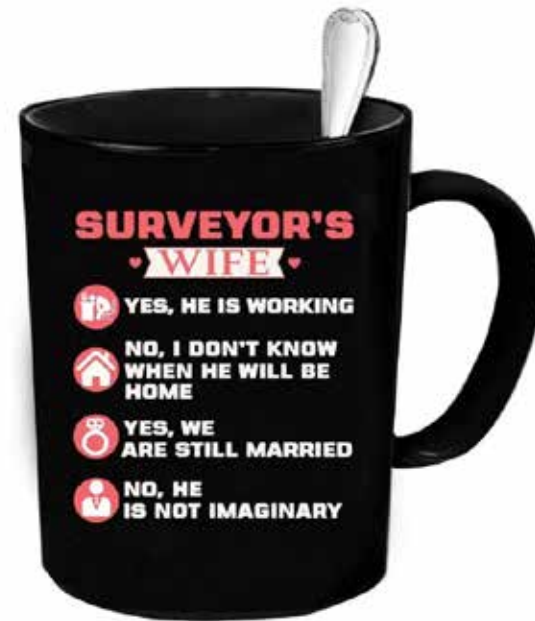
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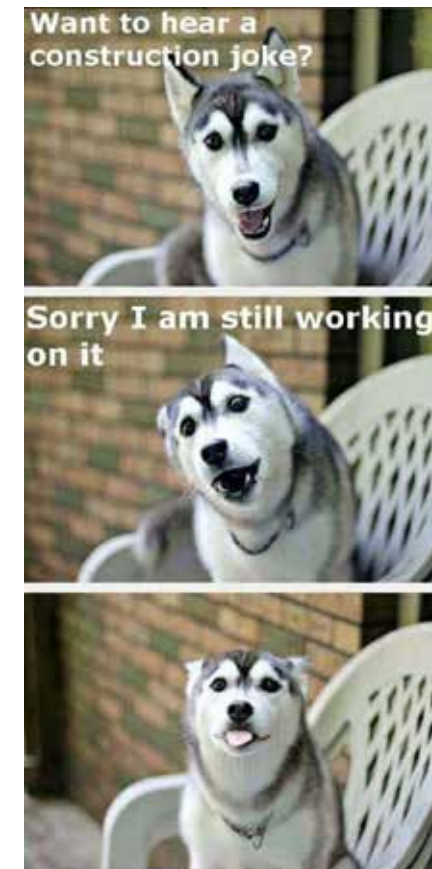
La Touche d'Humour

Le chef de chantier et l'apprenti
Un chef de chantier observe un apprenti en train de planter un clou. Quelques minutes après, il lui dit :

- Tu me fais penser à la foudre.
- Parce que je suis rapide hein ?
- Non, parce que tu ne frappes jamais au même endroit !



Construction Site Okay so there was these three men that worked at a construction site. Well, one day they sat down and opened their lunch. The African guy opened up his lunch and got grits. He said that if he got rice again tomorrow that he was going to jump off the building. The Mexican opened up his lunch and got a burrito. He said that if he gets a burrito again tomorrow that he was going to jump off the building also. The blonde opened up his lunch and he got chicken. He said that if he got chicken tomorrow that he was going to jump off the building too. Well, the next day the African guy opened up his lunch and he got grits again so he jumped. The Mexican opened up his and he got a burrito again so he jumped. The Blonde opened up his and he got chicken again so he jumped. At their funeral the African's wife said "If I would have known he didn't want grits I would have packed something different". The Mexican's wife said "If I would have known he didn't want a burrito I would have packed him something different". The Blonde's wife looked up and said "Don't look at me, he packs his own lunch."



I never wanted to believe that my Dad was stealing from his job as a road worker. But when I got home, all the signs were there.





DELAY AND DISRUPTION CLAIMS: PRACTICAL ISSUES

Introduction

Evaluation of delay and disruption claims are problematic and present complex issues present on construction projects.

Disruption, as distinct from delay is disturbance, hindrance or interruption to a Contractor's normal working methods, resulting in lower efficiency.

Why is evaluation of delay and disruption claims problematic?

Keating on Construction Contracts (10th ed, 2016) says of delay and disruption claims generally:

"Such claims are often for commercial or other reasons greatly exaggerated both as to the extent of delay caused by the employer's breach and in quantification".

The relentlessly severe comment in Keating unequivocally portrays that delay and disruption claims are often the product of cynical attempts at unjust enrichment." It is not the function of the courts where there is

a breach of contract knowingly to put the plaintiff in a better financial position than if the contract had been properly performed."

While delay is comparatively easy to measure, disruption is harder to detect, prove and measure. It will usually not be detected by the contractor until after it has occurred. Disruption can consist of delay costs that are not, strictly, prolongation costs. Disruption effects may be hidden by other project issues, some of which may be recoverable and others not. Unrecorded variations, mistakes, inefficient working and so on may all be happening concurrently. A degree of caution is required to identify disruption properly and to separate it from other non-culpable causes.

Having identified that some losses are occurring on a project, the next challenge is to identify which element is overrunning, then which trades. It may be by interviewing relevant personnel that management will find out enough about what happened to be able to assess whether there is

any prospect of a successful claim.

Prolongation of the Works

There will be many occasions when the extended periods of particular activities will impact on the critical paths in the programme of works resulting in the contract completion date to be extended from that originally intended.

How delay can be measured: practical issues

The most widely accepted method of delay analysis for the purpose of claim preparation or claim defence include impacted as planned programme, collapsed as – built programmes, time –impacted analyses amongst others.

So, what are the legal entitlements for EOT and compensation?

Claims by contractors for delay or disruption related loss and expense must be proved as a matter of fact. Case law makes it clear that a contractor is entitled to lost time

and/or financial loss to the extent that such losses can be proven. Very often, the basis of calculation is often excessively theoretical, ignoring the principles that damages are to compensate for actual loss and must be proved.

There can be no recognition of expense incurred in producing theoretical valuation exercises which do not identify expense which is the basis of additional payment under conditions of contract.

I have seen a number of claims which having asserted that delay occurred, simply identify the cause of delay without setting out the effect of those delays.

So what other factual records should a construction company keep in order to assist in proving excusable delay?

Any retrospective delay analysis requires good contemporary evidence to provide the factual basis for the exercise. Without evidence of the facts, any so called delay analysis will be greeted with scorn. The aim should be for reasonable certainty to be capable of being established for all but the most minor causes delay.

Records

What are they for?

Records are used to verify the basis of an event. They act as aide-memoire.

My view is that there are four types of record which can put into perspective a relatively good factual account upon which a robust delay analysis can be made. My initial shopping list would be as follows:

1. Labour and equipment returns

Most contractors maintain labour returns. However, they are often lacking as good informed records since they are generally limited to a list of names and the hours worked. In my view, the records must be

structured in such a way that the operatives' hours (by trade/skill) are allocated to either a schedule activity or variation/change order identity.

Any delaying or disrupting events should also be given a unique identity, with time recorded against those identities. Good informed records are, in effect, the as-built schedule.

2. Daily progress measurement

In addition to the allocation returns, we need to know the progress achieved by the recorded resources. Most contractors measure progress to a degree. Unfortunately, it is all too common to see that the site personnel simply make a visual assessment of progress on site and derive a percentage completion for a given activity. These percentages are often used to update the site schedule and write the monthly progress report narrative.

What is required is a formalisation of the process, with progress properly measured- preferably daily and recorded in a suitable format. It is vital that the measured progress is linked to the relevant site schedule activities, i.e start and finish dates.

3. Site daily report

Most site engineers and managers maintain a daily diary. A well-kept and comprehensive Site Diary recording all factors having any bearing on work progress such as weather, material and equipment deliveries, dates of commencement of activities, reasons for delay in starting and general comments on progress for each activity is required. The report should focus on specific problems encountered that day, including interferences, delays, uneconomic working, instructions received from the Engineer, instruction given to subs-contractors, late information amongst others.

Entries concerning potential or actual delay or disruption such as instances

of lack of access to working areas, orders to stop work in any area should identify the actual or likely impact in terms of time lost.

The Site Diary should also record sub-contractors' names, number of operatives on site and the tasks being undertaken.

4. Photographs/video recordings

Dated progress photographs and videos are excellent records that can illustrate the problems very accurately.

Analysis

The analysis should then examine the records for relevance, and those that appear to be relevant might usefully be databased to allow assembly of all records, relating to particular areas, or trades or periods or a combination of all of these.

Proof of costs will require provision and analysis of contemporaneous records such as invoices and payment details for the items claimed.

In the analysis, the contractor must be able to demonstrate that it has excluded matters for which the Employer is not responsible or for which the contractor cannot recover in any event.

Conclusion

Disruption is hard to measure and quantify with any degree of precision on any disrupted project. Prolongation costs are comparatively easy to measure and quantify provided the administrative procedure is in place to maintain comprehensive contemporaneous records. In this way the propensity for formal dispute is significantly decreased.

Kailash Dabeesingh

A BRIEF OVERVIEW OF CONTRACTUAL CLAIMS ?

Claims commonly arise between Parties to a Construction contract. For instance delays, Changes, lack of information, Physical obstructions, Late Possession of Site , unforeseen conditions are a few amongst others that trigger Claims. Claims have an undeserved notoriety for being made for additional money and should rather be renamed as Cost reimbursement. A unpaid claim may represent a major loss to either parties to a Contract.

The construction world carries many uncertainties and the final cost of construction is more than often not what was intended to at the start. Hence, the pertinence of efficient Project Management in Construction. A claim kicks in when the sequence of work is disrupted as simply as that. Any activity in construction follows a set order within a time frame. Unfortunately, in many cases , the construction professionals tend to overlook this "mantra" Time is of an essence". For instance, an instruction to add more sockets in an already painted hotel room, will definitely trigger a claim insofar that this new instruction will upset the planned sequence of works and lead to major disruption cost. In fact, the same work would have costed almost nothing if planned correctly at the start. Obviously ,a change to a non-critical activity will not impact on the contractual end date. However, a change in the thickness of the beam while the decking to the slab is under way is a change to a critical activity in the program of work . Similarly , late completion of the rendering or tiling works in a commercial complex may upset the planning of the shop fitting works of the tenant . While we could say that Construction is disruptive by its nature, it is primordial that an

efficient Project Management system is in place right from the start with the buy-in of all stakeholders.

In order to kick start a Contractual Claim, there should be a proper notice within the time bar provision of the Contract. Reference will be made to Clause 20.1 of FIDIC 1999, the most common form of contract being used in the local industry.

As rightly pointed out by Nicholas Gould in a web article published in 2008 - Making claims for time and money;

" Clause 20.1 provides a protocol for dealing with notification of extension of time and additional payment claims, and sets out the mechanism of the decision-making process of the engineer in respect of those claims. Notice is initially required from the contractor "describing the event or circumstances giving rise to the claim". The important time-bar provision is that the notice must be given "as soon as practicable" and then more particularly "not later than 28 days after the Contractor became aware, or should have become aware" of the particular event or circumstance. If the contractor fails to give notice within the 28-day period the Time for Completion "shall not" be extended, and no additional payment shall be made. Further, the contractor is to keep "contemporary records" in order to substantiate the claim. The whole mechanism enables the Parties to agree on an issue rather than wait until the end of the Project.

Another very interest fact of contractual claims is the prevention principle.

Hernandez (2017) defined it as is a legal doctrine that protects a contractor from liquidated damages for delays caused by the principal. The basic idea is that a party to a contract should not be permitted to profit from its own default. Contractor may be liable to pay liquidated damages when the completion date crosses the Contractual date. The prevention principle exists to protect the contractor from exposure to liquidated damages for delays caused by the principal. When it applies, the prevention principle has the effect of setting time at large - meaning that the works must then be completed within a reasonable time, rather than a specific date - which effectively prevents the principal from enforcing liquidated damages. Hernandez (2017) further cited an English case of Peak Construction (Liverpool) Ltd v McKinney Foundations Ltd, commonly called the " the Peak case ".

In this case, the contractor was delayed by the principal's failure to give prompt instructions to proceed with certain works. The contract did not contain a mechanism for the contractor to claim an extension of time. As a result, the court found that it was 'beyond all reason' to find the contractor liable to pay damages for the delay to the works. The Peak case is one of the reasons why modern construction contracts contain extension of time clauses.

A contractual claim must be specific rather than generic. The Claiming party need to establish the cause and effect of each and every event and demonstrate factually (contemporaneous records) how they affect the initial plan. In other words, to succeed, a claimant needs

to establish a discernible nexus between the breaches pleaded and the consequential delay and/or associated costs. Claims must be properly constituted and documented (Designing Building Wiki, 2019).

On a final note, it would benefit both parties in a Contract to accept a reasonable offer of amicable settlement without recourse to expensive dispute resolution mechanism or legal court action. There is no guarantee of success in either way. An amicable settlement keeps the spirit of co-operation between the Parties to a Contract and ensure the Project reaches its final destination without much harm and to the satisfaction of all stakeholders.

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Ryan Ramrekha



TO BIM OR NOT TO BIM?

What is BIM?

Building Information Modelling may be described as the process, supported by various tools and technologies, of creating and managing information on a construction project across the project lifecycle and which allows construction professionals (Architects, Engineers, Quantity Surveyors etc) to optimize their interaction resulting in a greater whole life value of the asset. The diagram below gives an overview of how the BIM process works through a project.



Brief History

In his paper "Augmenting Human Intellect" published in 1962, Douglas C. Englebart was the pioneer to describe what he felt would be the future of Architecture. The breakthrough of computer-aided design (CAD) in the 1960s paved the way for all the design softwares we have today. Designers have been able to move from hand drawing to computer drawing and the 3-D models which were initially being

used just for presentation purposes have gradually evolved to now represent both the physical and intrinsic properties of a building as an object-oriented model tied to a database.

Common misconceptions/myths While BIM is nowadays generally being accepted as a new tool to enable the construction industry to enter a new era, there are still some misunderstandings which persist and these may be summarized as follows:

- It is just a new trend involving a 3-D modelling software
- It is costly, time consuming and impacts on productivity
- It can only be used on large scale projects
- It only benefits those involved in the design and construction process but is useless for clients

The above views, still widely shared among construction professionals, have unfortunately hindered the

implementation of BIM and therefore there is still a large effort to be made to achieve that goal.

Reasons for BIM

There are many ways in which BIM can benefit the construction industry and these may be grouped under four main headers.

Collaboration

BIM allows all the stakeholders to work collaboratively on the project. All stages of the project life cycle will be recorded and can be retrieved anytime, anywhere and by all those involved.

Cost effective

The model allows all consultants to anticipate potential clashes that may happen during the construction phase and thus avoid abortive works.

Productivity

Any change in the design by for example the Architect will be recorded in the database and involves automatic changes on the designs of all the other consultants.

Continuity

The model will pass on to the client at the end of construction and he may use it anytime in the future for any modifications he may wish to introduce.

Current status

It is important to stress that many countries have already embarked on this new technology e.g in the UK it is mandatory for government projects to achieve BIM level 2 since 2016. Similarly, in Spain and France the respective governments are now encouraging the use of BIM on public projects. The USA and Scandinavian countries are generally in advance on the use of this tool in that most of their construction firms are already

relying heavily on BIM on their respective projects. The challenge is now for developing countries to jump on the bandwagon.

Mauritian context

Apart from a few workshops, the local construction industry is still lagging behind in terms of understanding and making full use of the opportunities BIM offers. It is however expected that the local stakeholders will progressively move towards a more integrated way of designing and managing projects to avoid major overruns as is currently the case on many public projects.

Conclusion

As for all new technologies, BIM will face challenges before it is perfectly understood and start being used extensively. The most difficult step is to bring the stakeholders to take the next step and this will probably require governments of different countries making it mandatory on all public projects so that the whole construction industry moves towards its implementation.

Nitin Ramphul



SUSTAINABLE DEVELOPMENT

INTRODUCTION

The Mauritian construction sector experienced a growth of 7.5% to 9.5% during the period of 2017-2018 as recorded by Statistic Mauritius in the December 2018 issue. It is anticipated to maintain the same growth in the third quarters of 2019 based on the recent budget speech 2019.

It is expected that the industry will keep consuming a huge amount of energy and materials in these construction works. It is without a reasonable doubt that the Mauritian Government will have to take adequate measures to alleviate the impact that these construction works will have on our environment, economic growth and social progress.

THE BUDGET SPEECH 2019

Through the Budget speech 2019, we recognise that the Government is putting in place environment friendly measures and continued incentives to promote a green economy. In line with The Kyoto protocol (1987) and the recent COP 24, the Mauritian Government is reiterating their commitment to implement the Paris Agreement of 2015 towards putting global efforts to halt & reversing climate change.

In the last budget, amongst others, the government is proposing to set up a bio-mass framework, a 20 MW waste to energy project and solar energy farms around the island. There is also recent move in rehabilitating our beaches following coastal erosion and implementation of artificial reefs.

The above measures is a strong drive towards the implementation of sustainable development within

the built environment in the attempt to avoid the depletion of resources that will unfortunately hinder the growth and development of future generations.

THE NEW PARADIGM

The switch from unsustainable construction to sustainable construction requires a new paradigm; a paradigm that will reconcile the need of sustainable development in this booming Mauritian construction industry without jeopardizing the aims and objectives put forward by the government. Now more than ever, this new paradigm is required to support the implementation of sustainable development and developers and investors are called to express their interest how they could potentially bring added value to construction works, existing building and remain within the conditions to achieve a sustainable development.

CASE STUDY

With the adoption of a global sustainable awareness, we have to understand that most of the Buildings in Mauritius have been built without observing sustainable development and they would still be here for another 50 years or so. Knocking them down would not be a reasonable thing to do. Urban Cooling came with a proposal for the high rise buildings of Port- Louis. In essence, the high rise buildings require a demand of about 15MW of electrical energy to power their needs for air conditioning. Through the Sea Water Air Conditioning concept, very cold water is extracted within the Deep Ocean Water through an offshore pipe which will feed an Energy Transfer station. A heat exchanger will capture the cold



energy and transfer it to a close loop which will supply the cold energy to building connected on the close loop system. The end result is a substantial decrease of electricity consumed by the customers to provide air conditioning by 13MW and directly reduces CO2 emissions and savings on fossil imports.

THE CHALLENGE OF THE CONSTRUCTION INDUSTRY

It is important to observe here that a switch from the traditional objectives of client's satisfaction; cost, time and quality to a sustainable development is therefore essential. The proposal would be for Promoters to opt for refurbishment works and conservation of buildings rather than constructing new buildings. The commercial benefit in terms of image towards a sustainable development may outweigh the cost of construction but it remains quite a challenge if the government does not take an active role in terms of relief of taxes and subsidies. On the Contractor's side, it will consist perhaps in investing more in the training of workers, value management and process oriented approach and enhancing efficiency which remain at the heart of the problem.

CONCLUSIONS

It is to be noted that according to the 2014 world risk report, Mauritius is ranked at the 14th place of the countries that are suffering from high risk of extreme climatic issues and we all stakeholders should join hands together to pursue the idea of delivering sustainable construction and recognised its benefits.

Manish Rajcoomarsing

Construction: a key driver of economic growth?

Contrary to tourism, manufacturing and financial services, construction is a non-tradable sector, which includes housing construction, construction of business structure and infrastructure-related construction. There is a relationship between stages of economic growth and demand for construction. Construction demand is low in less developed economies. During their expansion phase, the growth in construction outstrips the rest of the economy and therefore rises as a share of gross domestic product (GDP). As the economy approaches maturity, the growth rate of construction slows down, and as a result the construction share (as a percentage of GDP) declines. Mauritius appears to be the case: the contribution of construction to GDP was 4.9% in 2019, down from 7.0% in 2010, in spite of all the big infrastructure projects.

In 2018, the construction sector posted a real growth of 9.5% while the overall economy grew by only 3.6%. Is this a paradox? Not really so. The construction industry imports a lot of goods (materials and equipment) and services (foreign labour), bearing in mind that trade deficit drags down economic growth. While investments in infrastructure (transport, public services) can stimulate economic



hansgrohe

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growth and national productivity in the long run, they are not necessarily a key driver of economic growth.

Substitution effects

The contribution of the Metro Express project to GDP is low because of the nearly 100% import content. Trains, rails and all other construction materials and accessories are not manufactured in Mauritius, but imported wholesale. Nearly 100% of Metro-related government expenditure is outlays on imported items. The bulk of wages connected to the project is paid to foreign workers. As Metro-related imports go up, trade deficit widens.

Substitution effects have to be taken into account. First, whilst new jobs will be created by Metro Express, existing jobs in the bus industry will be destroyed, hence little net job creation. Second, while the Metro stations will evolve into new shopping areas, shopping transactions will shift from one place to the Metro stations, which will not translate into additional business incomes. Third, traffic congestion will be displaced, or at best marginally improved. Fourth, air pollution may decrease, but people will be subject to noise and visual pollution.

In the same vein, higher levels of consumption expenditure do not lead to greater economic growth. Boosting consumption in the economy (by way of subsidies, minimum salary, negative income tax, increases in old-age pension) does not necessarily rev up production and employment, but rather imports of goods and services. The Mauritian economy relies on foreign trade and is thus prone to huge current account deficits (imports less exports of goods and services). The latter are currently financed by income stemming from the global business sector, by foreign direct investment and by export proceeds. Otherwise, a deficit position of the capital account has to be plugged with a drawdown on the foreign exchange reserves of the country or with external borrowing.

Macroeconomic effects

A construction project has both positive and negative macroeconomic effects. On the one hand, there exists the multiplier effect: money spent, which went initially to a construction firm, increases the demand of goods and services for other firms, which will employ more people or will raise the salaries, thus leading to more consumption spending. There is also the investment accelerator effect due to more purchase of investment goods by enterprises in the face of increasing demand.

On the other hand, the private sector will be affected by the crowding-out effect: aggregate demand will fall as a result of a reduction in (investment or consumption) expenses due to a rise in interest rate following an increase in public spending that causes inflation. The multiplier effect on the economy is all the more mitigated by the leakage effect as income is spent on imported products. Last but not least, demand of money increases: those receiving more money (higher salaries or dividends) choose to hold a greater proportion of their wealth as cash instead of buying products or assets.

Construction, modernisation and maintenance of public infrastructure are very costly. Development of infrastructure should not lead to excessive public debt which has a negative impact on economic growth. Public sector debt rose to 65% of GDP in June 2019 when the international norm is 60%. To bring it back to that level, the International Monetary Fund has urged the ministry of finance to undertake fiscal consolidation, i.e. to increase revenue and reduce spending.

Factors driving investment

Construction activity is a particular type of investment. Overall, investment is typically driven by factors such as general economic conditions, stock market performance and credit conditions (firms generally

face liquidity constraint). Reliable indicators for firm level investment are the interest rate, the Tobin's q ratio (market valuation of capital assets to their replacement cost) and firm fundamentals such as profit or dividend.

Particularly, investment in residential structure is highly volatile and procyclical. Housing construction is driven by demographic trends (Mauritius had a population growth of 0.03% in 2018), household income (the average household disposable income in 2017 stood at Rs 36,803 per month while it was Rs 90,019 for the 20% of households at the upper end of income range, according to Statistics Mauritius), housing prices or rent, and credit conditions.

The performance of the construction sector directly affects the asset quality of Mauritian banks in view of its relevance and importance in their loan portfolios. As the construction industry picked up in 2017, the Non Performing Loans ratio in this sector declined from 9.2% as at end-December 2016 to 7.9% as at end-December 2017, but afterwards deteriorated again to 11.4% as at end-December 2018, according to the Bank of Mauritius.

Finally, geography also affects the cost of construction. Countries with high population densities (654 persons per km² for Island of Mauritius) would require more high-rise buildings, whose construction costs are steeper than low-rise buildings. Countries endowed with popular tourism destinations necessitate more tourism infrastructure to accommodate tourism demand and therefore higher construction needs. It remains that development of infrastructure must go hand in hand with strong economic reforms to improve the business climate.

Eric Ng Ping Cheun

(Eric Ng Ping Cheun is the director of PluriConseil. He can be contacted on pluriconseil@intnet.mu)
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DECENNIAL LIABILITY INSURANCE IN MAURITIUS

The concept of decennial liability derives from the French Civil Code which was extended to Mauritius in 1808 and which, later in 1974, was published by law under the title "Code Civil Mauricien".

As per the "Code Civil Mauricien", designers and contractors are liable to pay compensation for any total or partial collapse of a building and/or any defect affecting the stability or safety of a structure. This liability runs from the delivery of the works for a period of 10 years.

Moreover, as per the Building Control Act 2012, every developer shall subscribe, in relation to such building as may be prescribed, a property damage insurance policy in favour of eventual or subsequent buyers or lessees to guarantee, for a period of 10 years, the payment of compensation for any property damage caused to a building by faults or defects originating in or affecting its structural elements and which could directly jeopardise its structural soundness and stability.

In order to protect, on one hand, owners and end users and, on the other hand, the reputation of Mauritius to attract foreign investment in the property sector, the introduction of mandatory requirements for decennial liability insurance cover for certain type of buildings is an area of interest for concerned authorities. In the light of the potentially high levels of compensation and liability, decennial liability insurance policies are typically more expensive than traditional insurance policies. As a consequence, decennial liability insurance has been comparatively rare in Mauritius and the introduction of compulsory cover will be a significant development in the construction industry.

An important question being asked today, is why is the decennial liability insurance important when, usually, for every building and

construction project, contractors and construction professionals such as architects, quantity surveyors and engineers manage their risk through insurance. For example, a construction professional is likely to have a professional indemnity policy to cover negligence in his or her work, while a contractor may take out "All Risks" insurance to cover risks such as property damage or third-party injuries.

However, it is important to note that decennial liability falls outside of these traditional types of insurances and is potentially a significant risk for designers and contractors.

Firstly, the liability is "strict" which means that it exists even in the absence of negligence or fault except in the case of force majeure or contributory actions by third parties. For example, a professional indemnity policy is unlikely to provide cover to a construction professional where the contractor was at fault but the construction professional had held a supervisory role. On the contractor's side, Contractors' All Risks insurance would not cover defects in design or workmanship, which may threaten the safety or stability of a building.

Secondly, compensation for decennial liability is in respect of the actual loss suffered and may include the cost of demolishing existing premises and rebuilding the structure as well as loss of profit/loss of use. For complex projects, these costs may very high and likely to exceed the limits of cover under traditional insurance policies. This would leave contractors and designers in very difficult positions.

The limitations to any claim under decennial liability are very few and include:

- (i) the building was not intended to last for ten years or more;
- (ii) the issue arose out of a cause

beyond their control such as a natural calamity; or

- (iii) for designers, who did not perform any supervisory role, where their liability is limited to defects in the design only and where there was no design defects, but there was defective workmanship.

Simply put, decennial liability insurance is important as the financial consequences following partial or total building collapse can be enormous and other forms of insurance cover either may not respond to this liability or may have limits that are not suitable to deal with the scale of the potential exposure.

However, one should also be cautious as decennial liability cover will usually not respond to any resultant losses caused to third party property from a collapse or a relevant defect, so construction professionals should consider retaining their Professional Indemnity insurance to cover any fault-based liability to third parties in addition to the decennial liability insurance.

Vashish Ramkhalawon



INFRINGEMENT IN OUR SCOPE OF SERVICES

Hi guys do you think our profession is at risk? Doesn't seem so but yet there are many challenges indeed. Today our profession is regulated and we have our own legal framework which undoubtedly came into existence since September 2013 following the enactment of the PQSC Bill which was initiated by our members. But we still face some difficulties which we will have to overcome within the coming years.

This article will focus on infringement in our scope of services which have a negative impact on our profession.

Part 1 Section 2 of the PQSC Act 2013 define our profession as follows:

"quantity surveying" means the range of services in the construction industry consisting of, inter alia, financial viability analyses, estimates of construction costs, cost planning, cost control, cost management, value management, advice of procurement methods, preparation of bidding documents, bid evaluations, interim valuations, final account settlements, claim formulation and assessment, contractual advice, replacement cost for insurance purposes, mediation, arbitration and adjudication."

Although our services have clearly been defined as above mentioned, we have other construction Professionals undertaking part or sometimes providing the full scope of services related to our profession. Thus, infringing on our scope of services and professional ethics. The contravening parties can be categorised as follows:

- Non-professionals of construction
- Regulated and non-regulated professionals of other construction sector

These categories of people are providing services which are not



in their field of expertise and this is tarnishing the image of the profession.

There are examples where a non-professional produced a valuation report for insurance purposes and was reported to the PQSC and the CIDB as he substituted himself in the position of a Quantity Surveyor. He was convened by both regulating bodies to provide explanations. He was severely warned and gave a written commitment not to default in the future. However, no legal actions could be taken against him as the matter was not reported to the police.

It is noted with much concern that many Projects funded by major public authorities and parastatal bodies do not appoint a Quantity Surveyor in their consulting team. These organisations run the risk of exposing themselves to such major financial and contractual issues, which does not fall within the expertise of other professionals employed by them. Further, such state of affairs are being tolerated in the industry by virtue of a saving clause in the PQSC Act, clause 19(2)(c) which is worth stating:

"Nothing in this act shall prevent a person from practising his profession,

trade or calling as an engineer, land surveyor, interior decorator or designer, town planner, professional architect, naval architect, marine architect or landscape architect;"

It is being argued that other construction professionals can carry out certain duties pertaining to quantity surveying by virtue of the said clause and this is subject to different interpretations. Clearly this matter must be addressed with the State Law Office (SLO) at PQS Council level.

The MAQS encourage its members to come forward with any formal complaint for further actions which shall be taken up at PQS council level or / and relevant authorities. Furthermore, the MAQS will continue to support its members, promote the quantity surveying profession and uphold its image within the industry. MAQS looks forward to team up with other stakeholders such as PQSC, RICS, CIDB with an aim to sensitize players in the industry on the role and importance of Quantity Surveyors.

Veerprakash Sadeo
MAQS Immediate Past President



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