

CONTROL PERFORMANCE;



MONITORING AND CONTROL

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Monitoring and Control

Control relies on good monitoring and performance. Control is essentially comparing the state of a contract / project implementation to what is planned to :

- Determine how we are doing
- Are we on track?
- If not why?
- What must we do to get back on track?
- Can we do better?





Control also requires being proactive.

Therefore, there is the need to have a baseline/plan:

Monitor and Report

**Report should be on a form that has the plan
there should be a prior determination of what
indicators to keep under review**

Post implementation tasks

Learning objectives:

- **Explain issues connected with taking over/
performance certificate**
- **Discuss defect notification period**
- **Discuss financial accounts/ statements/
discharge**
- **Provide feedback on contract close-out**

Taking over the works or Part thereof

This must happen once

- **works are part completed according to contract provisions**
- **Passed required tests**
- **A taking over certificate has been issued or is deemed to have been issued.**



Notice by contractor

- Contractor may apply by notice to the engineer for a taking over certificate- not earlier than 14 days before the works will in the contractor's opinion be complete and ready for taking over
- The same applies to phased sections



Notice by contractor

- Engineer must issue the T.O certificate with 08 days of receiving notice/application
 - stating date on which works or section were completed in accordance with contract (outstanding minor works)
 - reject the application giving reasons and specifying corrections to enable T.O certificate be issued



Notice by contractor

- Contractor must then complete these remedial works before further application

In the event of the Engineer failing to issue T.O certificate or reject application within 28 days and subject to the works being substantially in accordance to the contract, T.O certificate will be deemed to have been issued



Notice by contractor

- Engineer may at the sole discretion of the Employer issue T.O certificate.
- Unless specified in the contract or agreed by both parties for use as temporary measure, the employer shall not use any part of the works or section without the engineer issuing a T.O certificate deemed to have been taken over as from the date which it was issued



Notice by contractor

- Contractor ceases to be liable for the care of the part used for that date
- If requested by contractor Engineer shall issue a T.O for this part



After Issue of T.O

- Contractor shall carry out any outstanding tests within the defect notification liability period.
- If contractor issues cost as a result of the employer taking over and using part of the work otherwise specified in the contract or agreed by the contractor, the contractor shall give notice



After Issue of T.O

and be entitled to claim payment of such cost plus reasonable profit which shall be added to the contract price.

- Delay damages to be adjusted when T.O has been issued for part of the works or other sections.**



Performance certificate

- Performance certificate must be issued by engineer 28 days after defect notification period, status date, or as soon as thereafter as the contractor has supplied all the contractor's documents and completed all the works
- only Performance certificate justifies acceptance of work.



Performance certificate

- Defect notification period:
 - Notice if employer considers itself entitled to some payment
 - before expiration.



Final Account

- 84 days after the T.O certificate, contractor must send 6 copies of statement at completion/Final account with an application for IPC.



Final Payment Certificate

- 56 days after receipt of performance certificate
- 6 copies draft and final account with supporting documents



Discharge

- To come with the Final statement . May state that it becomes effective upon receipt of Performance Security and balance of all monies due.



Close out

- Determine who is responsible
- Build a close out file
- Determine Physical Completion and quick close out procedure
- Payment histories and funding resolution



THANK YOU