Professional Diploma in NEC Contracts

Syllabus

18 September 2021

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1.1 Rationale

Professional Diploma in NEC Contracts

This Postgraduate Level Professional Diploma in NEC Contracts is designed for professionals who are interested to develop their knowledge, skills and competencies into the expert level or currently progressing into a NEC related commercial management or relevant role. The qualification develops the learner's knowledge, skills, and competencies to design and develop projects, liaise with stakeholders, and oversee large or complex construction projects safely and efficiently.

1.2 Progression to Other Qualifications

The programme provides the underpinning knowledge and skills for the mains forms of NEC contracts. It also enables students to study to develop their career towards expert level knowledge, as once they achieve the Professional Diploma, they can perform their job efficiently.

1.3 Programme Rules of Combination

The programme comprises the following two core modules.

- JN910-Professional Practice in NEC Contracts Part 1
- JN920-Professional Practice in NEC Contracts Part 2

Students' performance will be assessed by an open book online exam (assignments) for each module.

To achieve the Postgraduate Level Professional Diploma, candidates are required to undertake:

- Both modules and
- Minimum Pass of both assignments.

1.4 Entry Requirements

- Minimum a bachelor's degree or a diploma with minimum 5 years' experience **or**
- You should be in a profession such as Contract Management or Project Management or Quantity Surveying or Engineering Consultancy or Construction Management or another relevant profession.

1.5 Module and Assessment Grades

The assessor will award a grade to the achievement of each module (Fail, Pass, Merit or Distinction). Module grades apply to overall performance in modules throughout the assignments.

Indicative marking descriptors for differentiating between levels of achievement when marking assignments are provided below (Section 1.8).

The overall grade for a qualification is calculated using a points system. Each module grade attracts points as follows:

Fail	0 points
Pass	1 point
Merit	2 points
Distinction	3 points

1.6 Assessment

The assessment process is set by the College of Contract Management Moduleed Kingdom, which defines the requirements learners are expected to meet to demonstrate that a learning outcome has been achieved. All learning outcomes must be achieved in order to gain attainment of credit for that module. A complete assessment should be carried out throughout the course.

All modules are assessed by internally set assignments.

The assessment criteria are based on 3 areas:

1. **Task achievement** – This is a measure of how well the candidate answers the task question/questions and the identification of the important aspects of the task.

2. **Technical Content** – This is a measure of how well the candidate identifies, describes and evaluates the technical aspects of the task.

3. **Presentation** – This is a measure of how well the candidate presents the assignment and includes the quality of the structure and paragraphing, the quality and relevance of visual or graphical content and the referencing used for quoted sources.

1.7 Assignment Policies

1. All submission of assignments must include:

   a) a copy of the full brief given by the Examinations Officer
   b) all source material must be cited in the text and a full bibliography of source material (including author, title, publisher, edition and page) listed at the end of the submission

2. All submissions must be submitted into our system as instructed by the Examinations Officer.

3. All submissions under the student's name must only be the work of that student. All information sources must be acknowledged. There is the **possibility of failing the module if the contents of the assignment are plagiarised** as set out in the rules and regulations of the institution.

4. All submissions should be in pdf format and students **must** keep a copy of all submitted work for reference purposes. Receipt will be acknowledged by the College once the work is completed.

5. Whenever a candidate submits work after the approved deadline without an authorised extension or second (or further) attempts due to non-successful first attempt, a maximum "Pass" grade will be awarded. Assessor may comment on the quality of the work for learning purposes.

6. Requests for extensions of submission deadlines must be made in writing **prior** to the submission deadline to the Course Administrator and must be supported by documentary evidence.

1.8 Professional Diploma in NEC Contracts - Indicative Marking Descriptors

Note: Please note that the bands below describe indicative characteristics only. An overall holistic approach is required when assessing a candidate's work and assigning a grade. Please read these grading bands in conjunction with the College of Contract Management Assignment Policy.

Grade	Task Achievement The Relevance of the Response	Inclusion of Relevant Technical Knowledge in Content	Presentation/Coherence
Distinction			
70% +	The work demonstrates a comprehensive understanding of the task. All relevant information is included. The main issues are effectively identified and analysed. There is evaluation and some analysis of solutions to issues relevant to the task. The response shows control of content within the word count.	The work demonstrates a strong understanding of a wide range of technical issues relevant to the task. There is analysis of the advantages/disadvantages of possible choices, risks and potential outcomes.	The work is appropriately structured and the argument is developed coherently. There is a recognised form of source referencing which supports the points in the task. Paragraphing and titling are used effectively to assist the reader. The use of visual/graphical information is clear and effective in assisting the reader. The graphical information is relevant to the task and is accurate.
Merit			
60-69%	The work demonstrates a clear understanding of the main issues relevant to the task. The issues are explained effectively and potential solutions identified. There is some attempt to analyse the merits of the solutions to the task. The task is broadly achieved within the word count, if relevant to assignment.	The work demonstrates an understanding of the key technical issues of the task. There is clear description of relevant technical aspects with some attempt to evaluate the merits of these as appropriate to the task.	Demonstrates an awareness of presentation and an attempt to present the information with clarity and coherence. There is referencing of sources and use of paragraphing and titling to assist the reader. There is use of clear graphical information to support the assignment which has broad relevance to the task. There may be some limited inaccuracies/omissions in these.
Pass			
40-59%	The work demonstrates an understanding of the task. The main points are identified and the task is achieved. There is no attempt to evaluate or analyse the solutions. There may be some inaccuracies, omissions and irrelevant content. There may be lack of control in relation to the word count.	The work demonstrates an understanding of the main technical issues which are identified. This may be limited to description with little evidence of evaluation. There may be some omissions and inaccuracies in the detail. There may be some irrelevant details.	There is an attempt to structure the information. There is evidence of paragraphing and titling which is not always appropriate. Some basic graphical information may be included which is of some assistance to the reader. There may be some omissions or inaccuracies. The work is generally coherent but there may be occasional lapses in coherence and structure.
Fail			
0-39%	The work shows a poor understanding of the task. Frequent inaccuracies. Failure to identify important aspects of the task. Much of the information is irrelevant to the task. There may be evidence of copy and paste from external sources. The response may be limited to lists of words with no attempt to explain the relevance/merits of these to the task. The assignment falls short of the word count.	The work demonstrates a lack of understanding of the technical aspects. There are omissions of important technical information. Errors are evident in the technical content. There is no attempt to explain the relevance of the technical content to the task.	Lacks structure and may be limited to lists of points which are not developed. Disorganised in structure causing difficulty for the reader to understand the points. The response is Illegible or incoherent in places. No referencing of external sources. The graphical illustrations are of poor quality or absent. They may be irrelevant. There may be errors and a lack of clarity causing difficulty for the reader to understand.

1.9 Calculating Overall Qualification Grade

To calculate the overall qualification grade, the individual module grades should be added together and compared to the table below:

Candidates must pass both modules of the programme.

Total Points for all 6 Modules	Overall Grade
6	**Distinction**
5	**Merit**
4	
3	**Pass**
2	
1 or fewer	**Fail**
Candidates must achieve at least a pass in (or hold exemption from) all 2 modules to be awarded the Professional Diploma.	

Module Title	**Expert Level Professional Practice in NEC Contracts – Part 1**
Module Code	**JN910**

Summary

Status	core
Learning Hours	100hrs learning including 20 GLH
Credits Value	10
Period of Study	8 weeks

Summary of Learning Outcomes

Learning outcomes are results of learning that students will have achieved on successfully completing a course. The following reference points were used in designing the learning outcomes:

- QAA Subject Benchmark Statements to ensure: that appropriate and effective teaching, support, assessment and learning resources are provided for students; that the learning opportModuleies provided are monitored; and that the provider considers how to improve them; and

- The professional competencies required by the APE and ICES.

Learning outcomes are expressed under three broad headings of achievement in both threshold and typical standards:

U: Understanding (a general awareness of the activity)
K: Knowledge (a more detailed level of understanding of the activity)
S: Skills (to be able, without supervision, to perform relevant functions)

Learning outcomes: **The learner will:**	**Assessment criteria:** **The Learner can:**
1. Introduction to NEC forms of contracts [K, S].	1.1 Introduction to NEC3 and NEC4 suite of contracts, the background, the philosophy and ethos of the NEC. 1.2 How to choose the right NEC contracts. 1.3 Overview of NEC3 and NEC4 ECC (Engineering & Construction Contract) contract changes. 1.4 Overview of NEC4 Engineering & Construction Short Contract and Professional Service and PS Short Contract. 1.5 Overview of main options A to F and the options W1, W2 and W3. 1.6 Main distinguishing features and differentiate the various NEC forms of contract currently in use. 1.7 Roles and responsibilities of the Employer (Client as per NEC4), Contractor, Project Manager and Supervisor. 1.8 Roles and responsibilities of other roles including the adjudicator, the designer, quantity surveyors, subcontractors, and the tribunal. 1.9 International use of the NEC4 family.
2. Able to provide contractual advice and review on core and secondary option clauses [K, S].	2.1 NEC4 core clauses - General i. Mutual trust ii. Actions iii. Identified and defined terms iv. Interpretation and the law v. Communications vi. The Project Manager and the supervisor vii. Instructions viii. Early warning ix. Contract's proposals x. Requirements for instructions xi. Illegal and impossible requirements xii. Corrupt acts xiii. Prevention 2.2 NEC4 core clauses i. Obligations and responsibilities of the contractor ii. Time iii. Quality management iv. Payments v. Compensation events vi. Title

	vii. Liabilities and insurances viii. Termination and insurances 2.3 NEC4 secondary option clauses a. Clauses X1 to X22 b. Clauses Y(UK)1 to Y(UK)3 c. Clause W1 and W2 d. Clause Z
3. Understand processes on a project related to Communications and Accepted Programme in NEC4 [K, S].	3.1 Timings of project communications, contract data and risk register. 3.2 Use of the accepted programme (submission, acceptance process, and regular updating in programme and progress on site and completion). 3.3 How to assess costs due to delay under the NEC4 contracts
4. Case Studies [K, S].	4.1 Case study related to common mistakes made by contracting parties. 4.2 Case study related to communications. 4.3 Case studies related to early warnings, and other general matters. 4.4 Case study related to construction risk and programming management in NEC4 contracts to know how courts treats to identify delay period.

Recommended Reading

1. Brian Eggleston, (2006). The NEC3 Engineering and Construction Contract: A Commentary, 2nd edition, Black- well Science.

2. Brian Eggleston, the NEC4 Engineering and Construction Contract: A Commentary, 3rd edition, Wiley Blackwell

3. Michael Rowlinson (2019), A Practical Guide to the NEC4 Engineering and Construction Contract, 1st edition. Wiley Blackwell

Module Title	Expert Level Professional Practice in NEC Contracts – Part 2
Module Code	JN920

Summary

Status	core
Learning Hours	100hrs learning including 20 GLH
Credits Value	10
Period of Study	8 weeks

Summary of Learning Outcomes

Learning outcomes are results of learning that students will have achieved on successfully completing a course. The following reference points were used in designing the learning outcomes:

- QAA Subject Benchmark Statements to ensure: that appropriate and effective teaching, support, assessment and learning resources are provided for students; that the learning opportunities provided are monitored; and that the provider considers how to improve them; and

- The professional competencies required by the APE and ICES.

Learning outcomes are expressed under three broad headings of achievement in both threshold and typical standards:

U: Understanding (a general awareness of the activity)
K: Knowledge (a more detailed level of understanding of the activity)
S: Skills (to be able, without supervision, to perform relevant functions)

Learning outcomes: The learner will:	Assessment criteria: The Learner can:
1. Understand processes on a project related to Early Warnings, Risk Register, Payments and Defects in NEC4 [K, S].	1.1 Early warnings, payments/withholding and defects (early warning processes, payment process, testing, inspection and notification of defects, timing for resolution of defects). 1.2 Practical examples covering early warning, compensation events and payments/withholding.
2. Contract administration and contract practice in NEC forms of contracts [K, S].	2.1 Understanding the variety of contract documents and use of documents in NEC contracts and ECC4 contracts. 2.2 Understand the programme requirements and the activity schedule. 2.3 The contractor's main responsibilities in contractor's design, providing works, design of equipment, people, working with client, subcontracting and other issues. 2.4 Management disciplines and procedures in pre-tender phase of the project (terms, dates, scope, site information, schedule, costs, and ambiguities). 2.5 Management of post award activities including tender evaluation. 2.6 Manage during the construction with defects and quality. 2.7 Manage subcontractors in the NEC4 family.
3. Able to analyse and manage claims in the NEC forms [K, S].	3.1 Managing compensation events on the project (applicable events, requirements for notification, effect on completion date, procedures, quotations & assessment, dealing with errors/ambiguities in tender data, implementation, and amending the pricing, activity schedule and BoQs). 3.2 Contractor's and employer's claims events in the NEC4 forms. 3.3 Dispute avoidance procedures and application in NEC4. 3.4 Practical examples covering compensation events.

4. Case Studies [K, S].	4.1 Case studies related to omission of the physical conditions' compensation event. 4.2 Case study related to managing compensation events. 4.3 Case study related to NEC4 delay and quantum to know how courts treats to identify costs and how best to manage the relevant site records and evidence. 4.4 Case study related to managing subcontractors in NEC4 family. 4.5 Case study related to contractor's main responsibilities.

Recommended Reading

1. Brian Eggleston, (2006). The NEC3 Engineering and Construction Contract: A Commentary, 2nd edition, Black- well Science.

2. Brian Eggleston, the NEC4 Engineering and Construction Contract: A Commentary, 3rd edition, Wiley Blackwell

3. Michael Rowlinson (2019), A Practical Guide to the NEC4 Engineering and Construction Contract, 1st edition. Wiley Blackwell