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## QUESTIONNAIRE SURVEY

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### **Disputes between Subcontracts and subcontractors in Sri Lankan Construction Industry**

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Dear Sir/Madam,

I am Nissanka., following M.Sc in Construction Law and Dispute Resolution, Department of Building Economics, University of Moratuwa. My research based on above topic is conducted under the supervision of Dr. (Mrs). Yasangika Sandanayake, Senior lecturer, Department of Building Economics, University of Moratuwa for award of M.Sc in Construction Law and Dispute Resolution degree. The result of this survey would be essential for the successful completion of my research.

Completion of the questionnaire would take approximately 20 minutes and all the questions can be answered with minimum effort. Further, I personally assure that all information obtained would be treated to the strictest confidential and only intended for the use of the analysis in this study. All the data will be considered on aggregated basis and no individual data will be published.

I would be much obliged to you if you could kindly allocate some time to read this questionnaire and participate by being one of my respondents to help me in this research. Your contribution is highly appreciated.

Thank you.

Yours faithfully,

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Nissanka N.M.N.W.K.  
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Dr. Yasangika Sandanayake.  
Senior Lecturer,  
Department of Building Economics  
University of Moratuwa.

## SECTION A : General Information

(General information about respondent)

- 1.Name : ..... (optional)
- 2.Designation : .....
- 3.Company : ..... (optional)
4. Experience:.....

## SECTION B : Contractual Relationship between the Main Contractor and the Subcontractor

Respondents are required to give answers based on their experience in past projects.

1. What is the type of subcontract used in Sri Lanka ? (written contract, verbal contract or other)

.....

2. Who prepares the subcontract ? (Main contractor, Subcontractor, client etc)



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3. What are the form of subcontract used in your past projects? (FIDIC, JCT, any other)

.....

4. How often disputes occur in subcontracts in Sri Lanka

.....



## SECTION C : Causes for Disputes in Subcontracts


Please mark (x) in the relevant cage and propose mitigation measure.

	Causes for dispute	Strongly disagree	Disagree	Moderate	Agree	Strongly agree	Propose Mitigation measure
<b>1. Caused by Main Contractor</b>							
1.1	Assigning part of the works to new sub contractor, without informing the original subcontractor						
1.2	Payment problems						
1.3	Contractor's delays in work and giving approvals						
1.4	Insurance and bonding issues						
1.5	Poor communication						
1.6	Incomplete understanding of the main contractor to the contract documents						
1.7	Providing low-quality materials that result in low-quality workmanship						
1.8	Properly not document the extent to which the service is given.						

1.9	Scheduling conflicts						
1.10	Failure to provide proper security for the site						
1.11	Using distant location for storage of materials						
1.12	Contractor's capability and fairness						
1.13	Restriction Access						
1.14	No proper pre-contract procedures in selecting subcontractor						
1.15	Back to back arrangement but correspondence and information between MC and client/consultant is not revealed to SC						
1.16	Appointing SC without getting approval from Eng/Consultant						
1.17	Dictating relationship						
<b>2. Caused by subcontractor</b>							
2.1	Delay in progress						
2.2	Lack of construction quality work						
2.3	Law attention towards the instructions of the main contractor						
2.4	Shortage of skilled labor, equipment, machinery						
2.5	Failure to preserve and take care of the						



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	materials						
2.6	Exhausting the plant and resources of the main contractor						
2.7	Partnering the works to another subcontractor without getting approval of the main contractor						
2.8	Neglecting the safety measures						
2.9	Lack of coordination between interfaces of main contractor's work						
2.10	High rate of staff turnover						
2.11	Subcontractor does not attend to testing and commissioning in as built situation						
<b>3. Caused by Client</b>		 <b>University of Moratuwa, Sri Lanka.</b> <b>Electronic Theses &amp; Dissertations</b> <a href="http://www.lib.mrt.ac.lk">www.lib.mrt.ac.lk</a>					
3.1	Delay in releasing payments to the main contractor						
3.2	Giving instructions to the subcontractor directly without consulting the main contractor						
3.3	Objection by the owner on the implementation method used by the subcontractor						
3.4	Delay in providing the information such additional drawings, benchmarks, set-backs, etc.						
3.5	Unreasonable time allocated for project completion						

3.6	client's informal nomination of subcontractor those who familiar to client irrespective of main contractor's preference						
3.7	Delay in providing Employer's requirement						
3.8	Late appointment of Subcontractor						
<b>4. Caused by Consultant</b>							
4.1	Delay in approving materials samples and shop drawings						
4.2	Incompetent experience of the consultant's team						
4.3	Suspension of Main contractor's work due to main contractor's default						
4.4	Direct Payment certificates						
<b>5. External factors</b>							
5.1	Shortage of construction materials in the market						
5.2	Closing the commercial border crossings						
5.3	Act of God factors						
5.4	Geological problems on the site						
5.5	Price escalation						
5.6	Non availability of standard form of Subcontract in published in Sri Lanka						



5.7	Difficulties to obtaining approvals for tax concessions, opening of LC in case of direct import						
5.8	Non availability of regulatory body in Sri Lanka for subcontractors						

**Thank You.**



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