

CPCCBC4003

SELECT, PREPARE AND ADMINISTER A CONSTRUCTION CONTRACT

ASSESSMENT SUMMARY

The assessment activities for *CPCCBC4003 Select, prepare and administer a construction contract* cover all aspects of the unit of competency. For Apprentices/Trainees, this includes supervisor completion of the Apprentice/Trainee Record (ATR).

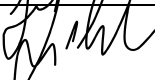
Participants must read all the information given before starting any assessment task. The assessment tasks are intended to be fair, flexible, valid and reliable. If a Participant has any questions or requires alternative arrangements to be made such requests should be directed to their Trainer/Assessor, who should note such arrangements in the 'Assessor Comments' on the affected assessment. If a Participant feels they are not yet ready to be assessed, they should discuss their options with their Trainer/Assessor.

To satisfactorily complete the assessment, the Participant is required to answer all questions correctly and demonstrate their skills to industry standards. If a Participant does not answer all questions or perform all tasks, they will be deemed 'Not Satisfactory' for the task and 'Not Yet Competent' for the unit of competency.

The Trainer/Assessor can provide the Participant with additional information on interpreting the assessment outcomes and guide the Participant's options. If a Participant is still deemed 'Not Satisfactory' they will have the opportunity to undertake a supplementary assessment or appeal the result as per the process in the Student Handbook.

By signing below, the Participant acknowledges:

- They understand the assessment instructions and requirements, and consent to being assessed.
- The work submitted is to be their own work – with the work of/with others needing to be clearly acknowledged and documented.
- They consent to any photo/video recording of their work that occurs during assessment.

Participant name	Jeremy Tydd
Participant signature	

Pre-requisite unit(s) to be achieved and authenticated prior to undertaking assessment

☒ Not applicable

Task	Date completed	Assessment Results	
Theory Exam		☐ Satisfactory	☐ Not Satisfactory
Workbook		☐ Satisfactory	☐ Not Satisfactory
Practical Assessment		☐ Satisfactory	☐ Not Satisfactory
Outcome for CPCCBC4003		☐ Competent	☐ Not Yet Competent

Evidence requirements checklist (ticked by assessor and evidence supplied to RTO)

- | | |
|--|--|
| ☐ Theory Exam
☐ Workbook
☐ Practical Assessment | ☐ Policies and Procedures Checklist (HO1)
☐ Final Certificate Checklist (HO2)
☐ Practical Completion Checklist (HO3)
☐ End of Defects Liability Checklist (HO4) |
|--|--|

Assessor name	
Assessor signature	

CPCCBC4003

SELECT, PREPARE AND ADMINISTER A CONSTRUCTION CONTRACT

THEORY EXAM

Participant name	Jeremy Tydd
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FOR THE PARTICIPANT	
Instructions	
• You will complete written questions as outlined on the following pages. You must attempt all questions and provide enough detail in your responses to demonstrate your knowledge. • It is anticipated that you should complete this assessment within two (2) hours, but additional time may be allowed upon negotiation with the Assessor. • You must complete all questions unassisted by the Assessor or other personnel but may refer to reference material as needed. All questions must be answered correctly for a 'Satisfactory' assessment outcome to be awarded. ○ An oral examination may be allowed under certain circumstances, whereby your answers will be documented by another party. ○ Any written questions that are incomplete, or not answered satisfactorily will need to be completed again after further training support. ▪ If you answer a question incorrectly but modify your response, put your initials next to the written change (or the Assessor must initial a verbal change).	
Resources required	
Pen	

FOR THE ASSESSOR	
Instructions	
• Where oral examination has occurred, ensure that this is acknowledged in writing (e.g. FT001 and Assessor Comments) • All questions must be satisfactorily demonstrated by the Participant for a Satisfactory determination (indicated by an Assessor tick to the right of the question). • Assessors are to complete marking in pen of a different colour to the Participant. • If the Participant verbally modifies their response, write in the modified response verbatim and put your initials next to the written change.	

ASSESSOR COMMENTS

As necessary, outline:

- Details on reattempts, alternative arrangements or reasonable adjustments made.
- Where a Participant is deemed 'Not Satisfactory', provide recommendations for future training.

Q1. Discuss how the Australian legal system affects construction contracts.

Answer The Australian legal system has legislation that governs the construction industry, each state will have slightly different rules. ☐

industry, each state will have slightly different rules.

Q2. Describe the legal elements required for a contract to be formed.

Answer were two parties sign an offer agreeing to the contents involved. ☐

were two parties sign an offer agreeing to the contents involved.

Q3. How is the 'Fair Work Act' applied during construction contracts?

Answer Fair work requirements are the minimum requirements needed to be supplied to an employee from the employer. ☐

Fair work requirements are the minimum requirements needed to be supplied to an employee from the employer.

Q4. Briefly explain how WHS laws affect construction contracts.

Answer This makes sure everyone has the correct insurance/ risk assessment have been done ☐

have been done

Q8. Discuss commercial building work contracts, their legal requirements and application.

Answer A commercial buildings work project is used for commercial works only ☐
and is agreement between parys to conduct works.

Q9. Discuss what a lump sum contract is and when it is used.

Answer This is were a fixed price contract has be agreed and the work that will ☐
be complred.

Q10. What does the term 'practical completion' mean when used in construction contracts?

Answer It is the stage of the construction were the works have been completed ☐

Q11. Provide a brief description for each of the following terminology used in construction contracts and explain the impact the terminology has on the project.

Answer

Terminology	Description	Impact on project
Extension of time (EOT)	A allowance for extion	A date of practical completion
Liquidated damages	paid amount by contractor when work is not completed by set dates	Allows compensation in the breach of contracts
Force majeure	Unforeseen events	events that allow extension of time
Terminations	events were the contract can ended	contract ended



Q12. Australian Standard AS 4000 General Conditions of Contract, is one of the most widely used forms of head contract for construction projects in Australia. Provide two (2) distinguishing features of AS 4000.

Answer 1. Apportionment of concurrency

1.

2. Dispute resolution

2.



Q13. What must be considered when choosing AS 2124 for construction contracts? Provide one (1) example.

Answer work must be completed for the fixed price and within the ☐

timeframe agreed on.

Q14. Clarify what is meant by contractual rights.

Answer The rights that your are entitled to when you sign the contract ☐

Q15. Provide an explanation of the key contractual obligations relevant to construction contracts.

Answer The right to pay the contractor once the work has been completed ☐

Q16. Discuss what is meant by contract liability.

Answer The responsibility for any party that claims loss from the contract. ☐

Q17. Discuss two (2) circumstances that constitute a breach of contract.

Answer
1. If work is not done as per the approved plan ☐

2. Damage to property

Q18. Provide an example of a minor breach and how this can be remedied.

Answer If a contractor starts a job and leaves it not completed ☐
as long as they come back and complete it .

Q19. Discuss the importance of demonstrating credibility during the first meeting with the client.

Answer I is inportment to have a good bond with the client that way ☐

if issuses do accoure you can both talk it out

Q20. Why would you provide the client with only one (1) point of contact when discussing and preparing a construction contract?

Answer This keeps god communication from just one person ☐
that way you know what has been said.

Q21. Describe what a CRM system is and provide two (2) ways this system can benefit a business.

Answer What is a CRM: Customer relationship management ☐

Benefits:
1. keeps all information up to date

2. account management

Q22. Discuss why you would need to determine the following items when drafting a contract.

Answer

Item	Importance for contracts
Equipment information	What will be needed for the project
Site accommodation information	Hire costs
Services	Access for services
Human Resource projections	Costings
Materials list	Stock and availability
Drawings and specifications	Costs,material,plant
Schedule	Progress inspection/payments



Q23. Explain why you might need to consult with the workplaces legal representative before finalising the draft.

Answer

To see if anything needs to be changed

☐

Q24. A builder must give the owner a written claim for a progress payment for the substantial completion of each stage. What must be stated in the progress claim?

Answer

what is being paid for and amount, also any variations made and amount

☐

Q25. What is the purpose behind progress payments in stages?

Answer

Allows contractors to be paid in stages so that they can pay their staff and bills

☐

Q26. The client has requested a change in the floor covering for certain areas. How do you document this variation?

Answer

Put it in a email and paut a variaton is per claus in the contract

☐

Q27. What can you do to minimise liquidated damages and penalties?

Answer

Understand what is involved and how it will be achaived

☐

Q28. Discuss what you should confirm before issuing the final certificate.

Answer

Review all works,payments,ect first and if to contract certificate can b issued

☐

Q29. Why is a defects liability clause added in a construction contract?

Answer

Gives assurance that defects will be repaired within a time frame

☐

Q30. Discuss the purpose of issuing a final certificate.

Answer

It is at completion of works when everyone is happy with the result

☐

Q31. Discuss how you can store and secure completed contract documents safely.

Answer

filling cabinets

on your computer/harddrives



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WORKBOOK

Participant name	Jeremy Tydd
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FOR THE PARTICIPANT
Instructions
- You will complete written activities as outlined on the following pages. You must attempt all questions and provide enough detail in your responses to demonstrate your knowledge. - The timeframe for these tasks will be established by your Assessor or Training Plan, but additional time may be allowed upon negotiation with the Assessor. - You must complete all questions unassisted by the Assessor or other personnel but may refer to reference material as needed. All questions must be answered correctly for a 'Satisfactory' assessment outcome to be awarded. - An oral examination may be allowed under certain circumstances, whereby your answers will be documented by another party. - Any written questions that are incomplete, or not answered satisfactorily will need to be completed again after further training support. - If you answer a question incorrectly but modify your response, put your initials next to the written change (or the Assessor must initial a verbal change).
Resources required
Pen

FOR THE ASSESSOR
Instructions
- Where oral examination has occurred, ensure that this is acknowledged in writing (e.g. FT001 and Assessor Comments) - All questions must be satisfactorily demonstrated by the Participant for a Satisfactory determination (indicated by an Assessor tick to the right of the question). - Assessors are to complete marking in pen of a different colour to the Participant. - If the Participant verbally modifies their response, write in the modified response verbatim and put your initials next to the written change.

ASSESSOR COMMENTS

As necessary, outline:

- Details on reattempts, alternative arrangements or reasonable adjustments made.
- Where a Participant is deemed 'Not Satisfactory', provide recommendations for future training.

NOTE

At times, you will be provided with a specific business context to which you must respond, otherwise it is anticipated that you will use a workplace of your choosing (your own, or hypothetical) to provide the context to the task.

At all times, the responses in your assessment must reference **Australian** (Queensland or Federal) documentation, including legislation, regulations, codes of practice, standards and guidance publications.

ACTIVITY 1

Read the example building contract (HO5) and respond to the following:

- a) What methods can the builder use to confirm the owner's consent to the contract?
- b) When can the builder demand or receive any of the contract price?
- c) What provides the builder with evidence of the owners entitlement to build on the site?
- d) How long is the defect liability period for this contract?

a) What methods can the builder use to confirm the owner's consent to the contract?

In person meeting to discuss and sign

b) When can the builder demand or receive any of the contract price?

In a insurance case

c) What provides the builder with evidence of the owners entitlement to build on the site?

certificate of title

d) How long is the defect liability period for this contract?

13 weeks

**Satisfactory
Outcome**



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PRACTICAL ASSESSMENT

Participant name	Jeremy Tydd
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FOR THE PARTICIPANT
Instructions - The tasks outlined on the following pages will require performance of normal workplace activities, as a result of a structured activity set by an Observer in the workplace or a simulated activity set by your Assessor/Observer. - The timeframe for these tasks will be established by your Assessor/Observer, in consideration of location conditions and industry requirements. - You must complete all tasks unassisted by the Assessor or other personnel, unless the steps note this assistance. - You must attempt all tasks (and itemised steps) for a 'Satisfactory' assessment outcome to be awarded. - For any observation conducted that is incomplete, or without satisfactory performance, the observation will need to be completed again after further training support.

FOR THE ASSESSOR/OBSERVER
Instructions - The following observation record should be used to judge and record your observations of the Participant as they complete the task(s) set. You must record your observations of the Participant's performance. - For each occasion, indicate the task performed and whether it was a simulation or workplace-based task. - Any simulated assessment must ensure the Participant still performs under workplace conditions which reflect industry standards. - In the comments, provide clear detail regarding the task that the Participant was required to do (e.g. PPE used, materials handled, attachments connected, plant types). - All steps must be satisfactorily demonstrated by the Participant for a 'Satisfactory' determination (indicated by an Assessor tick to the right of each itemised step, or an Observer tick to the right of each itemised step, and confirmation by an Assessor in the Assessor Comments). - Where you have determined that one or more task steps have not been satisfactorily demonstrated, provide the Participant with additional support and outline details of such assistance in the Assessor/Observer Comments. Allow the Participant two (2) further opportunities to demonstrate the task again to allow an opportunity for a 'Satisfactory' assessment outcome to be achieved. - If after three (3) attempts the Assessor determines that the Participant cannot demonstrate the required steps, a 'Not Satisfactory' outcome is to be determined.

TASK OUTCOME					
Task	Date	Task Type (Tick)	Location	Task outcome (Tick)	
				Satisfactory	Not Satisfactory
Task 1		☐ Workplace ☐ Simulation		☐	☐

ASSESSOR COMMENTS: GENERAL

As necessary, outline:

- Details on reattempts, alternative arrangements or reasonable adjustments made.
- Where a Participant is deemed 'Not Satisfactory', provide recommendations for future training.

ASSESSOR COMMENTS: PRACTICAL TASK 1

☐ Individual student (as named on cover page)

☐ Multiple students [☐ All from Attendance Report, ☐ Specific students involved – identify students]

Task	Provide detail
1.1A. 1.1B. 1.2C.	Specify types of contract reviewed and how it was determined the most suitable to the project:
1.1A. 1.1B.	Specify the class of construction project requiring a contract:
1.1D.	Specify circumstances the participant outlined that constitute a breach of contract:
1.1D. 1.2E.	Specify circumstances the participant outlined that constitute a termination of the contract:
1.1E.	Specify how the participant confirmed legislative requirements have been met when using this contract:
1.2B.	Specify how the participant verified the owner capacity to form a binding agreement:
1.2D.	Specify documents prepared and compiled to determine contract details:

ASSESSOR COMMENTS: PRACTICAL TASK 1	
1.3A. 1.3B.	Specify how the participant clarified and confirmed details of the contract with the owner to resolve discrepancies or disagreements:
1.3B. 1.3D.	Specify who the participant consulted when preparing the contract draft:
1.4B.	Specify how the participant monitored price and time variations:
1.4B. 1.4E. 1.4F.	Specify which parties were negotiated with to resolve contract anomalies:
1.5E.	Specify how documents were developed, stored securely, during and post contract:

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Practical Task 1

Description of task:

The participant must select an appropriate contract for a construction project and prepare and administer this contract, providing the assessor with copies of documents used and observer comments as evidence, including:

- Identify and analyse business contracts.
 - Review different building and construction contracts and select the correct contract by analysing identified legislative requirements and construction type and determine legal requirements.
 - Locate a standard contract document and read the elements, terms, sections and clauses to determine relevance to the agreement.
 - Review the rights, obligations and liabilities of all parties.
 - Consider the job and determine and analyse circumstances that constitute a breach of contract and factors involved in contract termination.
 - Confirm legislative requirements and procedures are met.
- Select appropriate contract.
 - Make an offer and receive acceptance to create a legal relationship in the form of a contract.
 - Confirm the owner capacity to form a binding agreement. (direct and clear communication, witness signature, legally able to enter into a contract).
 - Select the contract appropriate to the type of construction.
 - Prepare and compile the range of documents that collectively make up the contract.
 - Determine and document requirements for contract termination and special conditions agreed by all parties.
- Prepare the contract.
 - Clarify and confirm details with owner to resolve discrepancies or disagreements.
 - Prepare selected contract draft with details, in consultation with relevant personnel and in accordance with the accepted processes of workplace and legal requirements. (*Policies and procedures checklist - HO1*)
 - Determine and schedule progress payments, including processes for applying for extension of time.
 - Consult with legal representative to ensure legality and validity of the draft contract.
 - Prepare the final contract following workplace legal process. (*Policies and procedures checklist - HO1*)
- Administer the contract.
 - Administer the contract following legal and regulatory requirements and to workplace standards. (*Policies and procedures checklist - HO1*)
 - Monitor price and time variations and negotiate with various parties to resolve contract anomalies.
 - Process applications for EOT in accordance with workplace policies and contract conditions.
 - Process progress payments accurately as due under the contract.
 - Act to minimise liquidated damages or penalties nominated in the contract.
 - Administer contract, resolving disputes in accordance with contract, legislation and regulations.
 - Assess conditions for issuing a final certificate. (*Final Certificate checklist - HO2*)
- Finalise a contract.
 - Apply processes to document practical completion of the contract. (*Practical completion checklist – HO3*)
 - Finalise defects liability under a building or construction contract. (*End of Defects Liability Checklist- HO4*)
 - Finalise contract in accordance with relevant legislation and contract provisions. (*Final Certificate checklist – HO2*)
 - Collect contract and final inspection documentation and issue completion certificate.
 - Complete and secure documentation arising from finalisation of a contract for records purposes.

These tasks may be simulated or real. The Participant is to gather evidence of how they have completed each component of the Practical Task, which is to be submitted with this Practical Assessment sheet. The Observer is to provide detailed comments on the tasks completed by the Participant (on the Observer Comments, overleaf). The Assessor is to verify the Observer's comments, noting their findings in the Assessor Comments (on the back of the Practical Assessment cover page) and provide the assessment outcome.

Resources required:

Access to construction industry contracts, construction drawings & specifications, client, workplace policies, procedures and quality documentation, access to legal representation, PC, digital devices, applications and software to transmit and receive information electronically, access to legislated requirements, building and construction codes and standards.

Observer details	
Name of observer:	Ayden Cooper
Role of observer (Confirm suitability to sign)	Supervisor
Email address of observer	admin@cooperconstructionandrenovations.com
Signature of observer:	
Date:	16-4-25

When completing the task, did the Participant:	Tick if satisfactorily completed. Provide comments if left unticked.
1 Identify and analyse business contracts.	
1.1A. Review different building and construction contracts and select the correct contract by analysing identified legislative requirements and construction type and determine legal requirements.	✓
1.1B. Locate a standard contract document and read the elements, terms, sections and clauses to determine relevance to the agreement.	✓
1.1C. Review the rights, obligations and liabilities of all parties.	✓
1.1D. Consider the job and determine and analyse circumstances that constitute a breach of contract and factors involved in contract termination.	✓
1.1E. Confirm legislative requirements and procedures are met.	✓
2 Select appropriate contract.	
1.2A. Make an offer and receive acceptance to create a legal relationship in the form of a contract.	✓
1.2B. Confirm the owner capacity to form a binding agreement. (direct and clear communication, witness signature, legally able to enter into a contract).	✓
1.2C. Select the contract appropriate to the type of construction.	✓
1.2D. Prepare and compile the range of documents that collectively make up the contract.	✓
1.2E. Determine and document requirements for contract termination and special conditions agreed by all parties.	✓
3 Prepare the contract.	
1.3A. Clarify and confirm details with owner to resolve discrepancies or disagreements.	✓
1.3B. Prepare selected contract draft with details, in consultation with relevant personnel and in accordance with the accepted processes of workplace and legal requirements. (<i>Policies and procedures checklist – HO1</i>)	✓
1.3C. Determine and schedule progress payments, including processes for applying for extension of time.	✓
1.3D. Consult with legal representative to ensure legality and validity of the draft contract.	✓
1.3E. Prepare the final contract following workplace legal process.	✓
4 Administer the contract.	
1.4A. Administer the contract following legal and regulatory requirements and to workplace standards. (<i>Policies and procedures checklist – HO1</i>)	✓
1.4B. Monitor price and time variations and negotiate with various parties to resolve contract anomalies.	✓
1.4C. Process applications for EOT in accordance with workplace policies and contract conditions. (<i>Policies and procedures checklist – HO1</i>)	✓
1.4D. Process progress payments accurately as due under the contract.	✓
1.4E. Act to minimise liquidated damages or penalties nominated in the contract.	✓

[illegible]