

Analysing Implementation of Best Practices in Construction Contracts for Dispute Avoidance

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Abstract : Disputes and litigation are becoming inherent to the construction industry in India, and despite construction being one of the major drivers of growth, there have not been many reforms in the government construction contracts. Many of the disputes arising from the government contracts, can be avoided by the proper drafting of contracts and their administration. This study aims to 1) identify the best practices in the construction contract as reviewed from the research papers and additional literature on contract management, 2) obtain perspectives from the industry experts on the implementation of these best practices with regards to likely challenges and relative benefits for implementing the best practices in construction contracts. The best practices for disputes arising due to delay events have been identified through extensive literature survey. The industry perspective is gathered by way of a questionnaire survey to understand the applicability of the identified best practices, the benefits that are likely to be obtained and the challenges that are likely to be faced in the implementation of these practices. The study concludes with the recommended best practices that can be implemented based on the perspectives obtained from the survey. The findings of the study can be used by the industry professionals while drafting construction contracts with a view to avoid disputes related to delay events.

Keywords : best practices, construction contract, delay, dispute avoidance

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