

HEIGHTS



CONSTRUCTION FROM A NEW ANGLE

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LEADERSHIP IN THE TIME OF PANDEMIC

Lessons Learned from Covid-19

How to Thrive in the Uncertain
Economic Climate

Paragon of Safety & Health

The Role that is More Vital
Now than Ever

**Constructing a Survival Plan
During the Covid-19 Outbreak**

Practical and Legal Considerations

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Navigating Uncharted Waters

The construction industry is under scrutiny as work resumes under the Movement Control Order (MCO), Conditional MCO (CMCO) and now, Recovery MCO (RMCO). CIDB exhorts all contractors to adhere to the RMCO's Standard Operating Procedure (SOP) set out to maintain their operations, keep their workers safe and sites open. Errant contractors will risk their sites being shut down, most likely for an extended period.

Construction was one of the first sectors in our nation's economy to reopen. This is due to the efforts of the Ministry of Works in collaboration with CIDB Malaysia, and Ministry of International Trade and Industry (MITI), who devised the SOP that enabled the sector to operate safely, protect its workers and reduce the risk of spreading the infection.

For this Covid-19 issue of HEIGHTS magazine, we have compiled a variety of articles and opinion pieces to provide you with the insights you may need to move your company forward in the coming months. Our Senior Minister of Works, Dato' Sri Fadillah Yusof is featured in the Cover Story where he shares how his first 100 days of leadership has been. In Special Feature, he weighs in on the impact of Covid-19, where together with Foo Chek Lee, President of Master Builders Association Malaysia (MBAM), they shared how contractors can best prepare for the coming months of the on-going global pandemic crisis. In our legal section, our legal contributors provide their opinions and advice on the importance of crafting a survival plan to weather the Covid-19 crisis. We also shared insights on what it's like to be a Safety and Health Officer during the pandemic in the Career section.

Since the implementation of the MCO, CIDB has been propagating our social media channels on Facebook (CIDBOfficial) and Telegram (t.me/cidbmy) as well as our website with the latest updates on the industry. Remember to keep an eye on these channels for essential updates and information regularly. I wish you and your team all the best in operating in the new normal. Stay safe.

Datuk Ir. Ahmad 'Asri Abdul Hamid
Chief Executive, CIDB Malaysia

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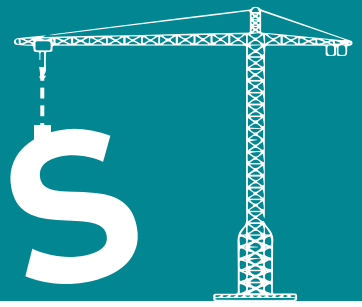
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Waste Not, Want Not: Ecobricks Made Almost Entirely From Construction Waste

K-Briq is the brainchild of Gabriela Medero, co-founder of Kenoteq



Kenoteq, a Scottish startup, has recently launched K-Briq, a sustainable, unfired building brick that is 90% comprised of construction waste. The brainchild of Gabriela Medero, an engineering professor at Heriot-Watt University, Edinburgh, the K-Briq generates less than one-tenth of the manufacturing carbon emissions compared to a typical brick.



The K-Briq was the result on a 10-year research and development effort by Medero, who was fuelled by a passion to reduce the construction industry's environmental impact. Madero, who is also the co-founder of Kenoteq, noted that the amount of waste produced by modern construction techniques is not sustainable long-term. "I spent years researching building materials and am concerned that the industry exploit raw materials without considering that they are amongst the largest contributors to carbon emissions," she said.

Kenoteq was founded to put the bricks into commercial production with the added advantage of saving energy in the manufacturing process and cutting emissions by producing the bricks locally. Currently, up to 85 per cent of bricks used in Scotland are imported from England or Europe, which is not sustainable in the long run. Kenoteq is producing its bricks on-site at Hamilton's Waste and Recycling in Edinburgh, thus minimising the logistics aspect in the process.

The K-Briq looks, weighs and behaves like a clay brick, yet offers better insulation properties. It can also be produced in any colour. The K-Briq modules will be utilised in the building of Serpentine Pavilion, which was designed by Counterspace, a South African architecture studio.



"We are proud to be scaling it up to meet both the needs of the construction industry and to support the sustainability targets of both the Scottish and UK governments," said Medero. It is indeed a significant achievement, considering that many researchers have tried to make the brick production more environmentally-friendly in recent years, yet the attempts rarely result in mass production.

Source: www.dezeen.com



RWE and Saitec team up for global floating wind push

Offshore Floating Wind Turbine Project Begins

Offshore wind speeds tend to be faster and steadier than on land, resulting in efficient electricity production. However, offshore wind farms may be costly to construct and maintain. To overcome this challenge, German energy corporation RWE Renewables and Spanish floating wind company Saitec Offshore Technologies have teamed up to develop a floating platform for offshore wind turbines.

The two companies plan to test new approaches to the affordable installation and operation of wind farms in deep waters. They have launched a joint pilot project called 'DemoSATH' that will lead to testing of a floating platform next year off Spain's Basque Coast in 2021. SATH, which stands for Swing Around Twin Hull, is a technology based on a twin hull made of modular prefabricated concrete elements that are subsequently braced.

The project seeks to collect data and gain real-life knowledge from the construction, operation and maintenance of the platform. The pilot project will last 3.5 years comprising 18 months for the planning and construction, followed by a two-year operating phase.

RWE Renewables CEO Anja-Isabel Dotzenrath said, "We see great potential for floating wind farms worldwide. Especially in countries with deeper coastal waters, this opens up attractive opportunities. With DemoSATH, we are gaining experience with an innovative concrete-based platform technology that will help us to position ourselves in this growth market."

Luis González-Pinto, COO of Spanish engineering company Saitec Offshore, said, "The potentiality of SATH to reduce the cost of floating wind is immense. Now is the time to build and operate this floating wind turbine and widen this exciting market."

RWE Renewables will cover part of the project costs, contribute offshore experience and gain access to the resulting findings in return. The focus is on the performance and on the load behaviour of the platform under all possible conditions. In addition, the partners are interested in operational experience, which is essential for the planning of future commercial wind farms.

Among the things to be tested are safe and efficient solutions for vessel accessibility to the platform and for the replacement of large components. RWE is also testing other technology options for floating offshore wind turbines in addition to SATH.

DemoSATH will be Saitec Offshore's second project in open waters. The deployment of a scaled 1:6 model off the coast of Santander is scheduled for mid of this year.

For the DemoSATH project, Saitec Offshore Technologies is providing the design and project management during the whole lifecycle of the development. The company is also managing the operation, maintenance and data treatment during the testing.

The structure and the 2MW wind turbine will be assembled in the port of Bilbao. The base of the structure will be approximately 30m wide and 64m long. The platform including the turbine will be towed to its anchorage point in a test field two miles off the coast, where the sea is about 85m deep. Hybrid mooring lines, composed of chains and fibre, and anchored to the seabed will hold the floating body in position. The plant is expected to go into operation in the third quarter of 2021 and the electricity generated during the project will be channeled into the Spanish power grid.

Source: www.theconstructionindex.co.uk



The Auckland skyline

New Zealand allocates NZ\$12bn Covid-19 Stimulus Package on top of NZ\$12bn Infrastructure Plan

On 17 March, New Zealand announced one of the world's largest per capita stimulus packages, reaching 4% of GDP, to help ease Covid-19's negative impact on the economy.

The stimulus package, amounting to NZ\$12 billion, includes tax cuts, wage subsidies, income support, health investments and support for the aviation industry. It is targeted to those at risk and started with immediate effect.

Prime Minister Jacinda Ardern said during a news conference, "The government is pulling out all the stops to protect the health of New Zealanders and the health of our economy."

The stock exchange in New Zealand had a quick reaction to the fiscal stimulus, Reuters reports, reversing a decline of more than 5%. The NZ dollar rose 0.3% to \$0.6061.

With the package coming into effect, preliminary forecasts from the Treasury department revealed yearly growth was predicted to contract by 1% year-on-year in March next year. Without the support, the yearly growth was predicted to contract by 3%.

The country's Finance Minister, Grant Robertson said that the stimulus will increase debt considerably, with core government debt now forecast to surpass New Zealand's present target of 15-25% of GDP.

He told lawmakers that there will be an extended period of deficits and the country's debt will have to substantially increase. He added that a recession is almost certain.

The country's central bank eased rates by 75 basis points after an emergency meeting on the day before the stimulus package was announced, as it readied for a substantial hit to the economy.

The NZ\$12bn stimulus package is about the same amount of spending that was announced in January, as part of the massive infrastructure package, which is spread over a number of years. The infrastructure package would go into the building and upgrading of roads, rail, schools and hospitals across the country. Arden said, "It will take time to rebuild our infrastructure after nine years of neglect, but we're getting on with it – and this package is the next big step."

Source: www.thespinoff.co.nz

Developer Launches Virtual Home Tours in Response to Covid-19

The Covid-19 pandemic has pushed developers to adopt new ways of doing business. Texas-based Riverside Homebuilders has introduced new company policies in order to comply with community social distancing guidelines including FaceTime meetings with sales associates and improved sanitation protocols for private in-person home tours.

"We are dedicated to offering our customers the same friendly greeting from our sales and construction team, just not a high five," vice president Todd Greenfield said. "We will continue to monitor local developments and adjust to keep our staff, customers and community safe."

For the time being, the Riverside Homebuilders sales staff will continue scheduling appointments for personal tours.

Prospective buyers are welcome to bring protective items like gloves and masks that may make them feel more comfortable on tours.

Riverside Homebuilders also provides virtual and video tours through its website and social media channels for easy remote viewing.

In addition to these customer-facing changes, owner Tim Fleet has encouraged alternative work arrangements for Riverside Homebuilders employees that provide flexibility to minimize further risk of exposure to other employees and customers or to care for sick relatives without risking a loss of pay or use of allocated paid time off.

Source: www.prlog.org

 *Riverside Homebuilders provides virtual and video tours for easy remote viewing*





Dato' Sri Fadillah speaking to the media during one of his construction site visits

LEADERSHIP IN THE TIME OF PANDEMIC

Since taking over the helm as Senior Minister – Infrastructure, Minister of Works on 10 March 2020, Dato' Sri Haji Fadillah bin Haji Yusof has hit the ground running and worked closely with CIDB Malaysia to ensure the recovery of the construction sector without compromising the safety of its workers. He shares with HEIGHTS the challenges and triumphs that have transpired in the first 100 days of his leadership.

Covid-19 has and is continuing to impact the construction industry, including the contractors, engineers, electricians, quantity surveyors and labourers under its umbrella. When the Movement Control Order (MCO) was enforced on 18 March, numerous construction projects and renovations were temporarily halted to comply with government mandates. In order to slow down the spread of the virus and flatten the curve, this directive from the authorities was commendable and valid despite the economic ramifications on the industry. However, choosing to prioritise safety over financial gain inevitably resulted in construction decline during the temporary closure.

"The construction sector is a key contributor to the nation's economic development, with an average turnover of RM140 billion worth of construction projects annually.

Also, the construction industry has great multiplier effects that impact the growth of other economic sectors, such as the manufacturing, transportation and financial sectors," said Dato' Sri Haji Fadillah bin Haji Yusof, Senior Minister – Infrastructure, Minister of Works.


"As such, the delay in construction activities has had a significant impact not only on the sector itself but on the other related industries as well."

Dato' Sri Fadillah having a chat with Tan Sri Dato' Sri Liew Kee Sin Executive Chairman, EcoWorld Malaysia



Group photo, first row from left: Tan Sri Liew Kee Sin (Executive Chairman of EcoWorld), Dato' Sri Hj Fadillah Yusof (Senior Minister of Works), Dato' Sri Dr Santhara Kumar (Deputy Federal Territories Minister) and Datuk Nor Hisham Ahmad Dahlan (KL Mayor). At the second row, CIDB Chief Executive Datuk Ir. Ahmad 'Asri Abdul Hamid (middle) was flanked by the top management of EcoWorld.



 Dato' Sri Fadillah expressed his gratitude to Malaysians for being cooperative in complying with the SOPs set by the government for the safety of all.

Gradual Reopening of the Construction Industry During the MCO

Recognising the severe impact of a prolonged closure of the industry, the government allowed selected construction activities to operate even in the early stages of the MCO, from 13 April 2020 onwards.

"These activities were, of course, subject to approval by the Ministry of International Trade and Industry (MITI). They encompass projects that do not require a large number of workers on-site, such as building projects with an IBS Score of 70 and above, as well as maintenance and construction works that have achieved more than 90% physical completion," explained Dato' Sri Fadillah.

Other construction activities that were allowed included:

- Critical works that ensure the structural safety of construction works such as; slope works,

tunnelling, bridge and viaduct works, as well as land surveying works.

- Maintenance, cleaning and clearing of stagnant water at construction sites to prevent the breeding of mosquitoes and other pests.
- All professional services as needed for project management and supervision, including the approval of payments for construction work.

Most importantly, construction works carried out by G1, and G2 contractors were allowed during this stage to enhance the economic viability of small companies. "The work carried out by G1, and G2 contractors are also small and do not involve a large number of workers," he stated.

At the present moment, all construction projects are allowed to continue operations as long as they abide by the Standard Operating Procedures (SOP) issued by the National Security Council (MKN).



“ The delay in construction activities has had a significant impact not only on the sector itself but on the other related industries as well **”**



Dato' Sri Fadillah being briefed on the measures taken by EcoWorld to ensure compliance to the SOP at the Bukit Bintang City Centre (BBCC) construction site.

Dato' Sri Fadillah inspecting the workers' rest area at the BBCC work site.



A Commendable Feat

The MCO was announced the week after the new cabinet took the oath, and it was extended every two weeks after that until the Conditional MCO (CMCO) phase came about on 4 May. This meant that Dato' Sri Fadillah had to tackle the crisis that was Covid-19 right from the onset, at a time where most cabinet members would be easing into their new roles.

Thankfully, he is no stranger to the role, having served as Minister of Works from 2013 to 2018 during the Najib Abdul Razak administration. "My first 100 days have indeed been challenging, but we have been able to pull through the MCO, CMCO and now Recovery MCO (RMCO) phases because of how cooperative Malaysians have been," he said.

During the MCO phase, Dato' Sri Fadillah was involved in the daily

meetings that addressed the mitigation of Covid-19, and the MKN special meetings chaired by the Prime Minister, as well as the Economic Action Council Meetings.

"Containing the Covid-19 outbreak can only be managed by an unprecedented high level of cooperation, collaboration and solidarity from various ministries and the public in general," he said. "I am grateful of how cooperative Malaysians have been and for this reason we are able to pull through the MCO to the CMCO and now RMCO."

Together with his team and CIDB Malaysia, the 'New Normal' standard operating procedure (SOP) for the construction industry was launched and revised with the latest SOP released in conjunction with the RMCO, which took place on 10 June.

"The latest SOP includes compulsory Covid-19 testing for all foreign workers in Kuala Lumpur, Putrajaya and Selangor. Temperature checks must also be carried out daily before workers enter the construction site. Contractors must also ensure that social distancing is practised at work, and resting areas in construction sites, and ensuring common areas and workers' transportation are sanitised after use," explained Dato' Sri Fadillah.

He urged contractors in Kuala Lumpur, Putrajaya and Selangor to send their foreign workers for Covid-19 tests offered by the Social Security Organisation (SOCSO). "Foreign workers who have applied to undergo the test or are waiting for their results are allowed to work, on condition that they adhere to the SOP set by MKN," he said.



Dato' Haji Abdul Sahak Bin Safi Executive Director, Gamuda Land, delivering a briefing on Gamuda Land's TwentyFive Seven Mixed Development Project Site in Kota Kemuning, Selangor project to the Senior Minister - Infrastructure, Minister of Works Malaysia & the CIDB team





Dato' Sri Fadillah being briefed on the measures taken in compliance to the SOP at the TwentyFive Seven Mixed Development Project Site in Kota Kemuning.

On 27 April, SOCSO launched the Prihatin Screening Programme (PSP) offering free COVID-19 tests for its contributors on 27 April. SOCSO's PSP is able to conduct up to 15,000 tests per day and results can be obtained in three days.

According to SOCSO, more than 30,000 foreign workers covering all sectors to date, have undergone the Covid-19 test through the programme, 40.8% of which hailed from the construction sector. From 1 June onwards, screening under the programme can be done at any clinic or hospital that has been approved by the Ministry of Health.

"Employers in the construction sectors in Kuala Lumpur, Putrajaya and Selangor could claim a subsidy of RM150 from SOCSO for every Covid-19 screening for their workers who are contributors," said Dato' Sri Fadillah. "For those who have not yet made contributions to SOCSO, they can register before going for the screening."



Dato' Sri Fadillah made personal visits to several construction sites to observe their compliance to the SOPs.

“ *Containing the Covid-19 outbreak can only be managed by an unprecedented high level of cooperation, collaboration and solidarity from various ministries and the public in general* **”**



Dato' Sri Fadillah also went through the Mobile Disinfection Chamber installed at the TwentyFive Seven Mixed Development Project Site.



RMCO Standard Operating Procedures (SOP)



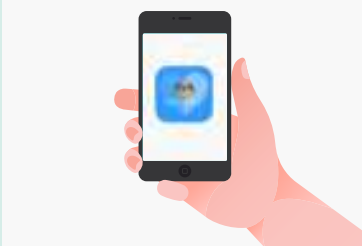
Pledging Compliance to the SOP

Construction companies that are resuming operations are required to provide their information and pledge compliance to all the SOP available at the websites of CIDB and the National Security Council ('MKN') at www.cidb.com.my and www.mkn.gov.my respectively.



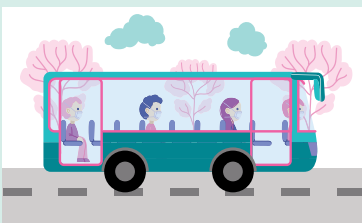
Testing and Health Screening of Workers

All foreign construction sector workers within Selangor and the Federal Territories of Kuala Lumpur and Putrajaya must undergo laboratory testing for Covid-19. However, those who applied but have yet to undergo the Covid-19 test or who are waiting for the test results, are allowed to return to work while they wait for their turn to be tested or for their test results to be released. They must, however, fully comply with all standard operating procedures issued by MKN.



MySejahtera Mobile Application

Workers are encouraged to download and register the MySejahtera application into respective individual mobile phones for contact tracing.



Workers Transportation

Employers are no longer obliged to provide workers transportation. However, if provided, the employers must carry out vehicle sanitisation and disinfection. The passenger capacity is allowed at 100%, however, passengers must be reminded to reduce interactions in the bus or van.



Workers Returning from Overseas

Workers returning from overseas are not allowed to work and enter the construction site within 14 days from the date of arrival at Malaysia. Quarantine costs are to be borne by the individual workers.



Material/Supply Driver/Carrier Health Screening

Any material/supply driver/carrier with a body temperature of 37.5°C and showing symptoms such as sore throat, cough, shortness of breath is not allowed to enter the construction site/premise and must seek treatment at a health facility. The practice of hand cleanliness and the frequent use of water and soap or hand sanitizer must be observed.



Covid-19 Positive Cases in Centralised Labour Quarters (CLQ)

Should a worker at a CLQ is tested positive for Covid-19, the employer relocate the close contact workers within the same CLQ to an alternative accommodation. Workers can be reside in a separate location within the CLQ, away from the other workers. They need to be monitored to ensure that they do not leave the CLQ while under quarantine.

Compliance to SOP is Crucial

"I personally visited two constructions sites recently in order to observe their compliance to the SOPs, namely the TwentyFive Seven Mixed Development Project Site in Kota Kemuning and the Bukit Bintang City Center construction site, Kuala Lumpur. I am pleased to note that the contractors were able to come up with their own initiatives to prevent the spread of COVID 19," he said.

He observed that many had prepared several resting areas for workers, instead of just one, so that workers do not need to crowd together in large groups and can practise social distancing during breaks. "Some have even created their apps to track the movement of workers to ensure that no one can venture out of the site boundaries during working hours," he stated.

CIDB Malaysia inspected a total of 7,699 construction sites from the period of 20 April to 14 June. Among these, 17 construction sites were ordered to close temporarily after failing to comply with the SOP.

"I commend the tireless efforts of CIDB Malaysia who ensure that contractors are compliant to the SOP for the safety of all. Thanks to their vigilant and consistent enforcement activities, we were able to help contain the spread of the virus among the construction workers.

Reviving the Construction Industry

On 5 June 2020, the Prime Minister announced several initiatives under the National Economic Recovery Plan (PENJANA) to help propel the construction industry and stimulate the economy. "PENJANA provides financial assistance for medium and small enterprises, including contractors so that business operators can continue operations and positively impact the economy."

He stated that the government also offers cashflow support through SME BANK to finance the operations of G2 and G3 contractors who have been awarded small government projects.

"Additionally, the Ministry of Works has allocated an additional RM782 million for Federal road maintenance

across the country, activating the Highway Privatization Committee to review the direction of private initiative projects, implement new project proposals and quick-win projects under the infrastructure cluster," Dato' Sri Fadillah added.

This being the first time all of us are going through a global pandemic of this scale, it is inevitable that many industries, businesses and individuals are badly affected economically. "However, as with any other challenges in life, resilience will help us overcome this. We will bounce back slowly, but surely," he concluded.

From his visits to the construction sites, the Minister of Works is pleased to note that the contractors were able to come up with their own initiatives to prevent the spread of COVID 19.



“ PENJANA provides financial assistance for medium and small enterprises, including contractors so that business operators can continue operations and positively impact the economy. **”**

Dato' Sri Fadillah gazing at the future projection of the current BBCC construction work site.




Dato' Sri Fadillah is confident that with resilience, the construction industry players will bounce back slowly, but surely.





The impact of the Covid-19 pandemic on workers and projects have been the focus of the construction industry since its onset. This issue's special feature examines the overarching effects of Covid-19 on the construction sector as well as lessons learned for the industry to thrive in the current uncertain economic climate.

LESSONS LEARNED FROM COVID-19




“ Contractors faced financial difficulties and delays in project delivery for some projects because they could not operate during the MCO period ”

As countries around the world grapple with the outbreak of Covid-19, local governments in Asia have put measures in place to reduce the spread. Malaysia has been swift to keep its infection rates low, starting with the Movement Control Order (MCO) in March, which has now progressed to the Recovery MCO (RMCO) phase since early June.

The implementation of the MCO, CMCO and RMCO has been successful in significantly reducing the number of infections. From the height of more


than 230 cases per day to single digits as at the time of print, the stringent measures seemed to be effective. Now, only foreign workers and those in the immigration depots are mainly the ones who are infected with Covid-19.

With the majority of foreign workers forming the bulk of the construction sites' labour force, the onus is on the contractors and relevant government bodies to ensure that further outbreaks do not occur.

 Temperature screening of construction employees is part of the compulsory Covid-19 preventive measures as demonstrated by Dato' Sri Fadillah.



“ In terms of financial losses for the overall industry, I estimated it to be RM11.6 billion per month of the MCO ”

 Contractors need to bear the increase in costs to comply with the regulations such as the provision of face masks and hand sanitisers on their work sites.



*Dato' Sri Haji Fadillah bin Haji Yusof,
Senior Minister of Works*

Impact from the MCO

As effective as it was in curbing the spread of the virus, the MCO has adversely impacted the construction industry. "Contractors faced financial difficulties and delays in project delivery for some projects because they could not operate during the MCO period," said Dato' Sri Haji Fadillah bin Haji Yusof, Senior Minister – Infrastructure, Minister of Works.

For Foo Chek Lee, Master Builders Association Malaysia (MBAM) President, the impact caused by the MCO had been devastating, to say the least. "The immediate impact was the cash flow and financial losses as salaries and overhead costs still needed to be paid during the MCO despite not generating any revenues," he said. "In terms of financial losses for the overall industry, I estimated it to be RM11.6 billion per month of the MCO."

According to the Department of Statistics Malaysia, the value of construction work done in the first quarter of 2020 contracted by 6.3 per cent amounting to RM35.0 billion.

"The industry would have to make up for lost time through higher productivity to complete the projects undertaken," Foo said.

The implementation of the RMCO in early June meant that all construction projects are allowed to resume. However, they are expected to follow the SOPs outlined by the authorities or risk being shut down during a surprise inspection by CIDB Malaysia. Lest you think that the contractors heaved sighs of relief and rushed to start operations, there were still a few who have yet to resume business even when the guidelines allowed them to do so.

Concerned over this matter, CIDB recently conducted a survey to find out why these companies have yet to open their doors. Results from the survey revealed that they faced five major challenges, including the current industry scenarios as well as COVID-19 screening cost.

"Other challenges are SOP compliance, worker issues and confusion over the SOPs," Dato' Sri Fadillah shared.



*Foo Chek Lee, President of Master
Builders Association Malaysia (MBAM)*



China's decreased manufacturing output during its nationwide lockdown has impacted construction on a global scale.



“

With the decreased production and logistic issues, we are concerned that we may not have the building material products available when needed and at stable prices, including a consistent supply for the overall construction industry

”

It's Best to Source Locally

The MCO and the global lockdown also meant severely decreased production of materials leading to significant delays in construction projects.

Take China, one of the world's largest suppliers of construction materials, for example. Its decreased manufacturing output during its nationwide lockdown has impacted construction on a global scale.

Foo stated that for Malaysia, most of the imports from China include structural steel materials (except for steel bars), sanitary and tile products, as well as some equipment and construction machinery.

"Recently, we have been importing some of the value-added materials like aluminium facade, safety glass in a complete set and lots of other interior design materials, too."

"With the decreased production and logistic issues, we are concerned that we may not have the building material products available when needed and at stable prices, including a consistent supply for the overall construction industry," Foo said.

To overcome this, he suggested that the government launch a "Buy Malaysia" campaign to promote the use of local products wherever and whenever possible.

Foo is not alone. A survey by Thomasnet.com indicated that 72% of industrial buyers worldwide prefer to source locally. With the potential threat of a third or fourth pandemic wave within our country constantly looming until a vaccine is made available, it only makes sense to bring the supply chain within our borders.



Dato' Sri Fadillah in one of his site inspections to ensure compliance to the RMCO SOP

Long-term Effects of Covid-19

Foo surmised that in the long-term, the year 2020 will see a deluge of unemployment and closure of businesses for companies that are not able to weather this storm. "Furthermore, the industry has to operate under new norms, i.e., social distancing, meeting health requirements and may encounter the shortage of materials and workers. These new norms will definitely add to construction cost and reduce productivity."

"Indeed there is some increase in costs to comply with the regulations such as the provision of face masks, hand sanitisers, as well as installing more toilets and more handwash basins to ensure the health and wellbeing of their workers," Dato' Sri Fadillah concurred.

The only somewhat promising light was the substantial oil price reduction during the MCO. "However, it remains to be seen if building material prices will be reflected accordingly," Foo commented.



The New Normal for Construction

As the industry moves into the new way of doing things, the ability to adapt fast will make the transition less painful.

"The new normal is to plan and reorganize the work productively in line with government SOPs despite the challenges brought by the pandemic," Foo commented.

Dato' Sri Fadillah assured that the contractors have been advised to ensure that their workers are given proper accommodation and amenities in accordance with Act 446 Workers' Minimum Standards of Housing and Amenities Act 1990. They also need to provide suitably-sized accommodation that allows social distancing for every worker.

"Contractors who fail to follow the SOPs at construction sites and the regulations on their workers' accommodations will not be allowed to start their operations. In fact, CIDB can take disciplinary action against them, which includes the suspension or cancellation of their contractor's registration," he stated.

He was pleased to note that all the positive Covid-19 cases have been detected before the sites resumed operations. "I take it as a good sign as it shows that the contractors in question have followed the SOP and sent their workers for testing before commencing operations."

“*The industry has to operate under new norms, i.e., social distancing, meeting health requirements and may encounter the shortage of materials and workers. These new norms will definitely add to construction cost and reduce productivity.***”**

"It is indisputable that urgent legislation is required to provide a shield for the industry players who are struggling financially"

Intervening Legislation Required

Foo opined that there would be potentially costly litigation and disputes in the industry as many will fail to fulfil their contractual obligations. "Since all of our industry are now opened for operations, there is an urgent need to have legislative intervention as in other countries such as United Kingdom's Coronavirus Act 2020, and Singapore's Covid-19 (Temporary Measures) Act 2020, respectively. Australia, Ireland, Scotland and Hungary have similar laws, too." Primarily, the legal intervention measures seek to provide temporary shelter and cash flow relief for businesses and individuals who are unable to fulfil contractual obligations and hence, had to pay for damages.

"This is an area where the government can help through an intervening legislation by granting an extension of time (EOT) for the respective contract. Without granting EOT, it will result in penalties and eventual termination, which would gravely and adversely affect the parties involved if there are no temporary reliefs," he explained. This will mean financial losses and expenses even during the RMCO. "The best reliefs may not be obtained through the courts or alternative dispute resolutions

(important as they may be). It is indisputable that urgent legislation is required to provide a shield for the industry players who are struggling financially."

Thriving in These Turbulent Times

To help cushion the pandemic's impact for contractors, Dato' Sri Fadillah recently announced several initiatives by CIDB that encompass short-term and long-term measures. Some of these initiatives include flexibility of contractor registration requirements, deferment of levy payments for private projects and registration fees deferment for local construction personnel skills training.

There are also other general incentives which can indirectly benefit contractors, including the wage subsidy package and employer subsidies worth up to RM500,000. Unemployed graduates in construction-related qualifications can enhance their knowledge in the use of Building Information Modelling (BIM) and IBS," Dato' Sri Fadillah added.

He lauded the government's move that allows tax exemption on expenses related to Covid-19 prevention, including the purchase of face masks, hand sanitizers and thermometers. "The tax break is expected to impact 7,500 contractors that have actively ongoing construction projects," he estimated.

As to when the market demand will revert to its pre-pandemic state, it literally is anyone's guess. "Market forces will decide the private sector's demand while the government will have to decide which government projects are necessary to stimulate the economy and to meet the current needs of the rakyat. No one can predict with certainty the market in the short, medium or long term as the whole world is still guessing when the pandemic will end globally," Foo surmised.



When it comes to surviving to fight another day, cash flow management is critical. As such, Foo believed that the right move now is to manage costs by adopting more productive and cost-effective operations for the construction industry, in addition to renegotiating terms with the various supply chain providers for the industry. "Contractors and builders should also be more selective of projects to be tendered and not underbid just to win projects," he cautioned.



Ministry of Works Secretary General Dato' Dr. Syed Omar Sharifuddin bin Syed Ikhsan passing through the mobile disinfection chamber, which was installed at the TwentyFive Seven Mixed Development Project Site as a Covid-19 preventive measure.

“ No one can predict with certainty the market in the short, medium or long term as the whole world is still guessing when the pandemic will end globally ”

Contractors must invest in hiring skilled local workers and use technology to reduce reliance on unskilled foreign labour

“*The best way for the construction industry to move forward post-Covid-19 is to ensure that contractors are no longer reliant on a foreign workforce. Instead, they must invest in hiring skilled local workers and use technology such as Industrialised Building System (IBS), mechanisation and automation to enhance the quality, safety, sustainability and productivity of their construction projects***”**



Embracing Technology to Move Forward

CIDB has been a long-time fervent proponent of mechanisation and automation to reduce the dependence on cheap foreign labour that are more often than not, unskilled.

"The best way for the construction industry to move forward post-Covid-19 is to ensure that contractors are no longer reliant on a foreign workforce. Instead, they must invest in hiring skilled local workers and use technology such as Industrialised Building System (IBS), mechanisation and automation to enhance the quality, safety, sustainability and productivity of their construction projects," Dato' Sri Fadillah emphasised.

He exhorted contractors to take advantage of courses such as myBIM Prihatin that are offered at a 50% discount rate to upskill their staff. "It is vital to equip your staff towards the direction you want the company to grow towards. In any case, investing in your employees during these tough times will reap long-term rewards in terms of loyalty and heightened productivity."

Foo agreed, "There is an urgent need to adopt automation and digitalisation to further ensure the industry can survive the aftermath of the pandemic to increase productivity, reduce cost and decrease reliance on foreign workforce. In this aspect, since the adoption of technology in the construction industry is very low as compared to other industries, it is best that the government can allocate a special fund solely for the construction industry to encourage productivity through technology adoption."

In conclusion, contractors would inevitably have to re-evaluate the old ways of doing things and adopt a paradigm shift to remain viable in the long-term.

"We call upon the industry to minimise their dependency on foreign workers and instead, embrace new technologies and upskill their local workforce so that they can thrive in the new normal," Dato' Sri Fadillah advised.

CIDB ENFORCEMENT IN NUMBERS

1 JANUARY 2020 - JUNE 2020

ENFORCEMENT OF ACT 520

SITE INSPECTIONS



= 2868

INTEGRATED ENFORCEMENT WITH
OTHER AGENCIES (OPB)



= 24

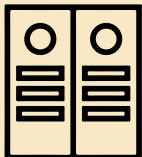
SPECIAL OPERATIONS (OPK)



= 228

ACTIONS TAKEN

NOTICES ISSUED



= 3147

INVESTIGATION
PAPERS OPENED



= 373

PENALTIES ISSUED



= 21 Cases

DISCIPLINARY
PROCEEDINGS



= 25

WARNINGS ISSUED



= 1

CONTRACTOR
REGISTRATIONS SUSPENDED



= 1

CONTRACTOR
REGISTRATIONS CANCELLED



= 2



CONSTRUCTING A SURVIVAL PLAN DURING THE COVID-19 OUTBREAK

PRACTICAL AND LEGAL CONSIDERATIONS

A look into the current and long-term considerations posed by the disruptions and delay in construction projects during the Covid-19 outbreak.

Note: The facts in this article are accurate as at the date of writing on 21.4.2020

By Janice Tay, Ooi Chih-wen & Kimmy Khoo of Wong & Partners, a member firm of Baker McKenzie International

The global coronavirus (Covid-19) and spikes in Covid-19 cases in Malaysia necessitated several government initiatives such as the Movement Control Order (MCO) which currently imposes a state of partial lockdown until 12 May 2020 (MCO Period) to curb the Covid-19 outbreak.

The MCO mandated a nationwide closure of businesses across all sectors, including the construction sector unless construction works fell within the exception of essential services such as in water, electricity, and energy, critical works or posed risks to safety and security. In the third phase of the MCO Period, the Ministry of International Trade and Industry (MITI) allowed certain sectors in the construction industry such as projects with physical progress of ninety

percent (90%) and above, tunneling works, and maintenance works amongst others to resume operations during the MCO Period, subject to MITI approval.

Disruptions and delay in construction projects are inevitable from restricted site access, labour shortages and interruptions in the supply chain of materials. This article raises immediate, mid-term, and long-term considerations¹.

Immediate considerations

Review contract clauses

It is crucial and timely for a thorough assessment of one's contract to ascertain rights in view of contracting parties' positions at the crossroads of seeking a protection of entitlements in terms of time and money or a complete release of obligations. The relevant clauses to identify would be on extensions of time, force majeure, claims such as loss and expense, price fluctuations, variations, acceleration, amongst others and a snapshot of relevant standard form contract clauses are set out below²:



It is important to thoroughly assess your contract clauses to see what you are entitled to at this crucial juncture of time

	AIAC	PAM	PWD 203A	IEM	CIDB
Force majeure clause	Article 9.34	Article 7 (ad)	58.2	43(a)	24.1(a)
Relief – extension of time & notice requirement	23.1 & 23.8 23.1(b) - written notice within 28 days after being aware of the regular progress of works being delayed by Time Impact Events	23.1 & 23.8 23.1(a) - written notice within 28 days of commencement of the Relevant Event	43.0 43.1 - forthwith give written notice of Delay Event being reasonably apparent	43 forthwith give written notice of delay of the causes of delay	24.1 24.2 - forthwith give written notice of such event within 30 days of occurrence of such event
Loss and Expense	24.0	24.0	44.0	44.0	31.1
Force Majeure Termination	No	No	Yes	No	No
Price Fluctuations	13.0	13.0	30.0	54.0	7.5

Assess obligations and consider options

Assess, plan and sort out a revised schedule of works due to the disruptions and delay on construction progress.

The relevant ministries and regulatory authorities such as MITI, Ministry of Works (MOW) and CIDB issued standard operating procedures (SOP) and best practices guidelines for companies to adhere to in preventing the spread of Covid-19. These include having only fifty percent (50%) of workers physically present at the project location and a controlled movement of workers to and from the construction site and their accommodations through the provision of a designated transportation vehicle by the employers. Employers are also to provide workers with suitable personal protective equipment such as masks, have hand sanitisers placed at common areas and practice social distancing in carrying out works.

These SOPs are obligations to be followed through strictly as non-compliance gives rise to liability such as a criminal offence under the Prevention and Control of Infectious Diseases (Measures Within the Local Area of Infection) (No. 3) 2020 Regulations. Liaise with vendors, sellers and suppliers on targeted delivery dates to ensure that the project is scheduled to get back on track in the least amount of time possible to minimise further incurrence of time and money. It may also be practical to conduct a joint site investigation to record the state of construction after the MCO hiatus with the project being left on its own for prolonged periods of time.

Assess possible claims to be submitted and comply with condition precedents such as notice requirements

Consider possible claims such as

extensions of time, variations, accelerations, loss and expense, delay damages and price fluctuations.

This again will largely depend on the entitlements set out in the contract. Look to surrounding provisions and force majeure provisions for situations of unforeseeable events beyond the control of the contracting parties which may be likely applicable. An example would be the PWD 203A form of contracts where the Government in the MOW's FAQ states that it would not be liable for any loss and expense arising from the implementation of the MCO.

It is then important to determine the conditions to fulfil once relevant provisions are identified. There may be requirements for written notice, particulars of delay, timelines, supporting documents, and a duty to mitigate before claims are allowed. For example, in relation to extensions of time, PAM contracts provide for notice to be given within twenty eight (28) days of the event while PWD 203A contracts provide for notice to be given when delay is reasonably apparent.

There is no one-size-fits-all solution as legal consequences on any contractual relationship varies depending on the nature of the contract, the type of obligations and the circumstances in which the obligations are to be performed.

Consider the applicability of legal doctrines of frustration and termination.

Termination should be exercised with caution as there are heavy consequences in the event of a wrongful termination. Review the contract to determine if there are clauses which allow termination resulting from the existing circumstances. An example would be the PWD 203A contract where parties may mutually agree that the contract is terminated by a force majeure

event. However, clauses of this nature are rare and this needs to be assessed on a contract-to-contract basis.

Frustration is a common law doctrine to deal with the occurrence of an unforeseeable frustrating event where it is impossible to fulfil contractual obligations or obligations turn into something so radically different from the intention of parties. The consequence that follows a successful reliance on frustration is that the contract becomes void and parties are discharged from further performance of the contract. Any benefit received by either side due to part performance will have to be returned to ensure there is no unjust enrichment. All existing claims or rights before the frustration event can be pursued.

Mid-term considerations

Have strong contract administration

As approval is given to the construction industry to commence works in stages, it is imperative for a company to have strong contract administration and be clear on its goals. This is evident through the documents requested by MITI for an application to resume operations throughout the MCO such as the project implementation schedule for the next three (3) months, the nature and scope of work to be undertaken, and a list of the manpower and equipment required to carry out the work plan.

This is also evident through the guidelines of MITI / MOW and other relevant governmental authorities. Compliance with MITI's SOP and the applicable regulations is emphasised or the approval to operate will be revoked.

Submit claims and assess securities

Continue to revise work programmes and keep all relevant parties updated as the situation develops and remember to use best endeavours to



MITI mandates that companies that are allowed to operate during MCO are also required to provide thermal scanners as well as screening for symptoms of coughing, sore throat or breathing difficulties

reduce delay (e.g. PAM Clause 23.6). Extend all necessary insurance coverage and performance bonds and security (if applicable) and continue to comply with any recurring conditions attached to making claims.

If it is found upon assessment of the claims that none of the contractual provisions provide monetary relief, quantum meruit may be an alternative for services or work done that is not stipulated in the contract. This is a quasi-contractual claim to seek compensation for an amount that the work is worth, representing a reasonable sum of work done, usually determined by fair market rates or fair valuation.

Renegotiate Contract Terms

At all times, contracting parties should be flexible in the current climate and consider renegotiating current obligations and entitlements. For example, developers may consider negotiating terms with the individual house buyer to waive or limit compensation and other forms of arrangements to ease the heavy burden on the developer bearing the risks of delay and corresponding compensation.

Long term considerations

Future contract terms

The contract review exercise and problems encountered may reveal issues in contracts that were not properly addressed at the time of signing or as a result of adopting standard terms. This exposes issues to be mindful of when negotiating and drafting future contracts to ensure watertight clauses.

Restructuring for survival of construction companies

Affected companies may also consider rescue mechanisms to prevent insolvency and a restructuring exercise to ensure its business continuity vide the Companies Act 2016.

Such rescue mechanisms act as temporary shelters while a restructuring of debt obligations takes place via (i) corporate voluntary arrangement; (ii) judicial management; or (iii) scheme of arrangement processes.

These mechanisms prevent legal proceedings or actions to be taken against a financially distressed company through the imposition

of a moratorium or a restraining order, which can be in place for different durations depending on the mechanism.

Conclusion

In the current climate, it is important to take the time to conduct a full risk assessment on the impact on business activities and evaluate all options and remedies. It is hoped that this article would prove useful in guiding relevant considerations and decisions to be made.

The contracts referred to are:

- (i) Asian International Arbitration Centre Standard Form of Building Contract 2019 ("AIAC");
- (ii) Agreement and Conditions of Pertubuhan Arkitek Malaysia Contract 2006 / 2018 ("PAM");
- (iii) Public Works Department Form 203A (Rev. 2010) ("PWD 203A");
- (iv) Institute of Engineers Malaysia Conditions of Contract 1989 ("IEM"); and
- (v) Construction Industry Development Board Standard Form of Contract for Building Works 2000 Edition ("CIDB").

About Wong & Partners

Wong & Partners, a member firm of Baker McKenzie International, is a Malaysian law firm that uniquely combines its rich local knowledge with broad global capabilities. Since its establishment in 1998, Wong & Partners has grown steadily and now consists of 19 partners and more than 50 associates. The Firm's lawyers are able to deliver comprehensive and integrated advice to clients and are trusted by respected domestic and multinational corporations for their needs in Malaysia and throughout Asia.

Disclaimer

The opinions expressed in this article are the authors' own and do not necessarily reflect the view of CIDB Malaysia.



OPPORTUNITIES FOR CONSTRUCTION AND BUILDING MATERIALS IN POLAND

Poland's booming population and economic growth have increased demand for infrastructure development in the country.

In 2020, value of the Polish construction market in Poland is predicted to reach a record level of PLN250 billion (USD 64 billion) according to SPECTIS, a market research and analytics company.

Poland will remain the biggest beneficiary of EU funding for period 2021 - 2027, which indicates that there will be a continued demand for engineering and construction services in the country.

Opportunities in Infrastructure

The total value of the 960 largest investment projects, both underway and planned, in Poland is estimated to be valued at PLN 420 billion (USD 107 billion), the sum of which is nearly twice as much as the annual value of the Polish construction market as a whole.

The top 5 of largest infrastructure investments in Poland for 2020 are as follows:

a) EUR 47 billion (USD 51 billion) is allocated for new road infrastructure or the upgrading of existing roads.

The General Directorate of National Roads and Motorways announced the construction of 116 km of roads in 2020.

- b) EUR16.5 billion (USD 18 billion) is allotted to the modernisation and build-up of the railway infrastructure.
- c) EUR16.5 billion (USD 18 billion) will be invested until 2030 for the enhancement of navigation along Poland's main rivers.
- d) EUR128 million (USD 139 billion) is earmarked for the extension and renovation of Krakow-Balice and Szczecin-Goleniow airports.

**“
Malaysian
companies may
consider exploring
opportunities by
providing
construction
services as well as
supplying building
and green
materials.
”**

The flagship investment project of the Polish government is the construction of a new (built-from-scratch) airport approximately 40 kms southwest of Warsaw, which is intended to replace Warsaw Chopin Airport and become a strategic international hub connecting Europe with Asia. Construction is planned to begin in 2021 and will be completed within 2027 - 2028. The project is estimated to cost PLN15 billion (USD3.5 billion) for the rail network, PLN8 billion (USD 2.1 billion) for the motorways and PLN25 billion (USD 6billion) for the airport.

The Polish government has also started the construction of a waterway through the Vistula Spit, a narrow strip of land that separates a large part of the country's eastern coastline from the Baltic Sea. The new canal will be 1 km in width as well as 5 metres depth and will be opened for ships at the end of 2022. The cost of investment is estimated at PLN1 billion (USD 1.1 billion).

Demand in Housing

Apart from the infrastructure investment projects, there is also high demand for housing. According to the HRE Think Tank report 'How many apartments does Poland lack?', there is a shortage of 2.1 million apartments in Poland, and the shortage will increase to 2.7 million at end of 2030. There are about 120,000 to 180,000 flats built per year in Poland. The units however are generally located in only four or five provinces with the largest Polish agglomerations.

Going Green in Poland

Over 1000 agglomerations in Poland do not meet the specified requirements of the EU directive on wastewater collection and treatment. Right up till 2021, over EUR6.8 billion will be spent on the modernisation of existing wastewater treatment facilities.

European Commission, as the key pillar of its Green Deal vision has made it mandatory that all EU members build net zero economies by 2050. As Poland has some of the most polluted air in the EU currently, it will require approximately EUR60 - 70 billion (USD 65 - USD 76 billion) for Perspective 2030 and approximately EUR130-175 billion (USD 141- USD 190 billion) for Perspective 2050, which goes towards energy infrastructure expenditures. In addition, the newest draft of 'National Energy and Climate Plan for 2021-2030 allocates an investment of EUR7.8 billion (USD 8.5 billion) for wind and photovoltaic installations.

The Way Forward

In view of the aforementioned infrastructure spending plans in Poland, Malaysian companies may consider exploring opportunities by providing construction services as well as supplying building and green materials.

Companies that are keen to obtain further information can reach out to the following organisations:

a) Polish Chamber of Construction Industry

Marii Konopnickiej 6 Street
00-491 Warsaw, Poland
pib@pib.net.pl
www.pib.net.pl

b) Spectis Construction Market Experts (research support services to executives from the construction industry)

Mr. Bartłomiej Bartnik
Sales Director, SPECTIS
bartnik.bartlomiej@spectis.pl
<https://www.spectis.pl/en/home>

c) General Directorate of National Roads and Motorways

Wronia 53 Street
00-874 Warsaw, Poland
kancelaria@gddkia.gov.pl
<http://www.gddkia.gov.pl>

d) General Directorate of National Roads and Motorways

Wronia 53 Street
00-874 Warsaw, Poland
kancelaria@gddkia.gov.pl
<http://www.gddkia.gov.pl>

e) Ministry of Sea Economy and Internal Waters

Nowy Swiat 6/12 Street
00-400 Warsaw, Poland
sekretariatBM@mgm.gov.pl
<https://www.gov.pl/web/gospodarkamorska>

f) Heritage Think Tank

ul. Śniadeckich 10
00-656, Warsaw, Poland
kontakt@heritagere.pl
www.heritagere.pl

Interested parties may contact MATRADE
Warsaw at warsaw@matrade.gov.my

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Muhammad Ayub Al-Ansary bin Mohammed Osman plays a pivotal role as a Safety and Health Officer in EcoWorld Development Group Bhd, having successfully put into place safety measures for his colleagues at the Bukit Bintang City Centre construction site. With the current pandemic situation and the Recovery Movement Control Order (RMCO) in effect, his role is more vital than ever.



Six years ago, Muhammad Ayub found his passion in the safety and health field, and has never been more fulfilled

The Paragon of Safety & Health

On a typical day, EocWorld's Safety and Health Officer Muhammad Ayub Al-Ansary bin Mohammed Osman can be found conducting his routine inspections to identify safety and health issues that may be faced by all on-site personnel. His personable demeanour makes it easy for him to deal with employee complaints as well as taking up issues to the relevant people in management. But it wasn't always that way.

Before his first job as Safety Supervisor in a Subang Jaya-based property development group, Ayub had a stint as a maintenance staff in a factory. "The factory had a lack of safety awareness, and I felt unsafe working there." After a negative experience involving safety in the factory, he realised how important safety was especially in workspaces that include heavy machinery, potential environmental pollution and a heightened risk of accidents.

"Around that time, my secondary school friend suggested that I switch to the safety field as he said the work is interesting and impactful as it involves taking care of other people's lives. It will be a big shift for me to step up into a role that carries a mantle of responsibility," Ayub reminisced. It did not take long for him to make the switch. "I was certified as a Safety & Health Officer (SHO) in 2014, got my first SHO job within the year, and I have never been more fulfilled."

As a construction safety officer, his primary responsibility is to ensure that construction employees are abiding by safety regulations and policies. It certainly helps that Ayub is passionate about the safety of his workmates. "I get to interact with the staff from all areas of construction. As part of a bigger organisation, we



Going through safety inspections is part and parcel of Ayub's work day

have to work together for the safety of all. So establishing a rapport with them helps in getting the message of safety across."

Nevertheless, he admitted that it is a challenge to manage the workers as they are all different in their backgrounds and characters, and must be handled using various approaches. "This is often very time-consuming and energy-draining," he said. "However, I can overcome this challenge by keeping my cool and being determined to solve every problem I face. This is all part and parcel of my responsibility as a safety practitioner. "

“

As part of a bigger organisation, we have to work together for the safety of all. So establishing a rapport with them helps in getting the message of safety across.

”



Part of Ayub's responsibilities include putting up safety signages at prominent spots at his workplace

According to the Department of Occupational Safety and Health (DOSH) and Social Security Organisation (SOCSO), the top three causes of fatal construction accidents in Malaysia last year were unsafe methods, the unique nature of industry and job site conditions.

As such, Ayub's responsibilities include attending to crane inspections, scaffold inspections, and falsework inspections together with the main contractor's representatives to ensure that safety practices are implemented according to the Health, Safety, and Environmental (HSE) requirements. "I

would also assist in tackling potential safety issues to the public from the site work and attend joint inspections as a witness when necessary."

However, Ayub does face challenges in getting the complete buy-in of the management in implementing safety measures, especially when it involves a substantial cost. But that does not deter him from continuing to propose changes that would improve the health and safety conditions of his workplace.

"One of my proudest moments was when I was working as the main

contractor at Eco Majestic. I implemented a water sprinkler system to replace the water browser by lorry method, and other contractors at Eco Majestic quickly followed my idea. The water sprinkler idea came about as a measure to prevent the dust issue during earthwork before premixing is done," he said.

Enter Covid-19

With the pandemic that the world is facing now and the new SOPs that must be implemented on-site, did he experience any differences in his role compared to pre-Covid-19 days?

"Obviously, the Covid-19 and uncertain economic situation it caused is unprecedented. There is a major difference in the speed of how things are implemented, the way we interact and how I go about executing my work," he said thoughtfully. "That said, there is no difference in my role as a safety and health practitioner before and during Covid-19; the only difference is the way I'm playing the role."

Ayub attested that the main challenge that he faced during the MCO, Conditional MCO (CMCO) and now RMCO periods was the implementation of the new normal on-site. "It was difficult to change the mindset of foreign workers to comply with all the new SOPs and guidelines introduced," he admitted.

"However, my team prepared for this by creating a site recommencement checklist that is based on the guidelines set by CIDB and other relevant parties. With this checklist, we were able to ensure that all the required SOPs and guidelines were implemented and adhered to prior to the recommencement of works."

Motivating employees to work safely is part of Ayub's job. But who motivates the safety practitioner? "It helps greatly to have leaders to guide me in my career development. My Senior HSE Manager, Mr Mahesan, constantly guides me through unfamiliar territory, helps me overcome obstacles and continues to support me amidst work pressure. His mentorship is what drives me in my career at EcoWorld."

"It was difficult to change the mindset of foreign workers to comply with all the new SOPs and guidelines introduced"

Ayub stated that he is also continually inspired by the working environment and culture in this company. Most importantly, he discovered that when he was able to devote himself to his passion fully, his work satisfaction increased by leaps and bounds. "I am proud and fulfilled to be a member of Team EcoWorld. This is the only job in my career thus far that has allowed me to focus and grow in my role as a safety practitioner. In my previous jobs, I wore several hats, including performing site administrator duties. While this helped me gain knowledge in several areas, I was not able to fully focus on honing my skills as a safety practitioner."

Having a pleasant personality helps Ayub get the message of safety across effectively



Change is Inevitable

Covid-19 or no, change is constant, especially when it comes to the construction industry. "As safety practitioners, we should make an effort to educate ourselves continuously. New technology pops up every day in our field. Therefore, it is important to keep abreast of the changes by attending courses, seminars, training and other necessary forms of continuous education," he advised. "Social media is also a great tool to help keep ourselves updated with all the information shared online by organisations such as CIDB and The National Institute for Occupational Safety and Health (NIOSH)."



Ayub inspecting a skylift's working cage control centre during a joint inspection with the main contractor at the BBCC construction site.

For those keen on embarking on a career in the Safety and Health field, Ayub advised that they would need to prepare themselves physically and mentally as this specialisation poses significant challenges to both the mind and the body. "Knowledge and creativity hold great importance to thriving in this field, but physical fitness and perseverance are also important as one will be required to walk the site, perform audits, and conduct inspections in the middle of the day under the scorching sun. A never-give-up attitude will go a long way in helping you excel in this field," he counselled.

Occupational safety and health practitioners are relatively flexible in the sense that they may find job opportunities in a wide range of environments, such as construction, manufacturing, petrochemical, mining and other offices. So long as there is a risk to the safety and health of staff, tenants or visitors to the workplace, one's expertise in this area will be required.

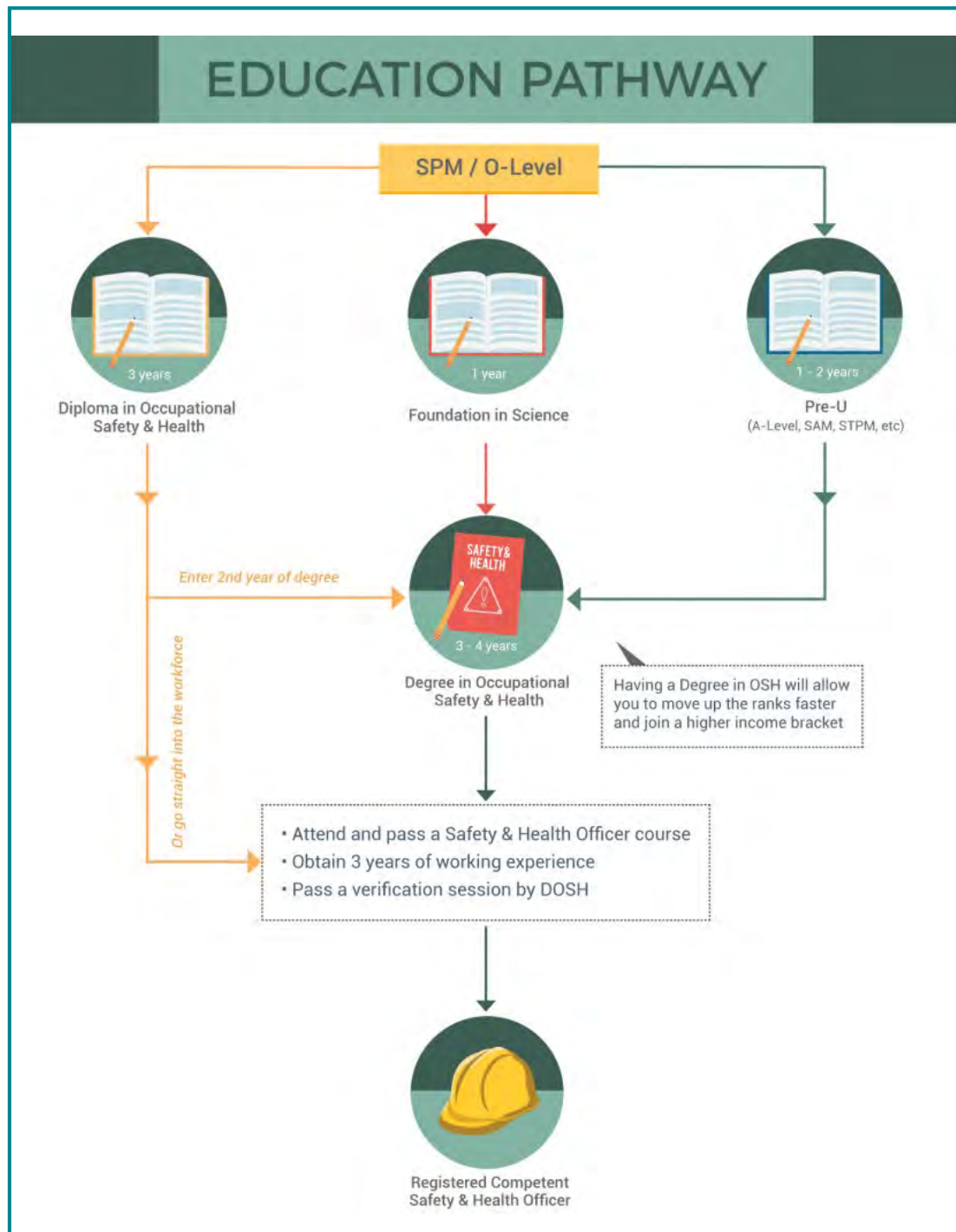
After all, not only do workplace mishaps cost employers money through fines and compensation, they are also damaging to the company's reputation and cause poor staff morale.

“ Knowledge and creativity hold great importance to thriving in this field, but physical fitness and perseverance are also important as one will be required to walk the site, perform audits, and conduct inspections in the middle of the day under the scorching sun **”**

"Career paths for construction safety and health officers vary from organisation to organisation. Some basic career advancements available would be positions like Safety Manager, Safety Coordinator and Safety Engineer," said Ayub.

"To succeed in this field, a potential candidate should be proactive, hardworking, independent and adaptable. These are the basic qualities I would look for. Prior experience is a bonus, but without the right attitude, it would be difficult for them to be integrated into the organisation, foster good working relationships and be effective in their work."

How to be an Occupational Health & Safety Officer



To be a registered competent Safety and Health Officer with the Department of Occupational Safety & Health (DOSH), one will need to:

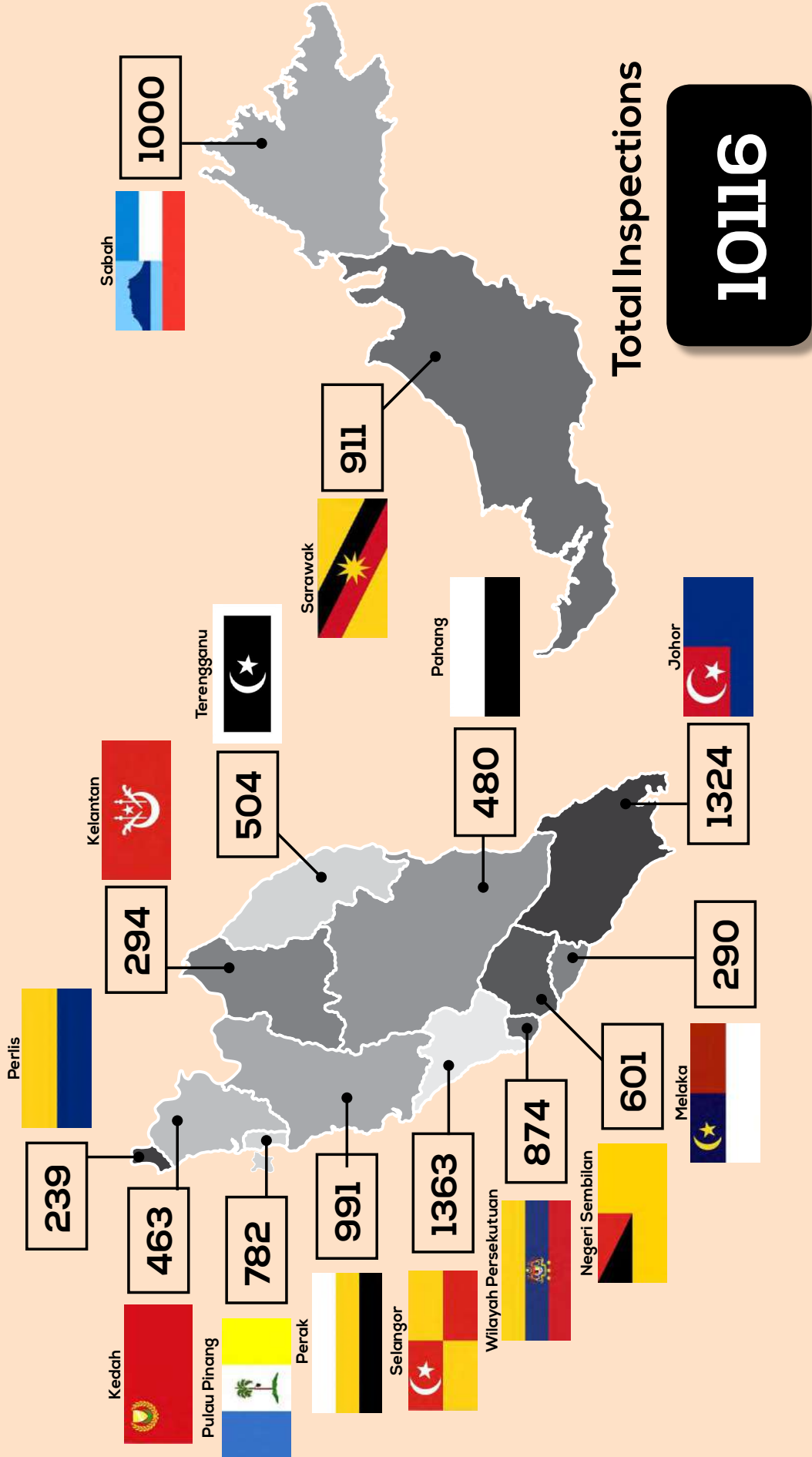
- Attend a Safety and Health Officer course and pass the exam*
- Obtain at least three years of working experience related to the occupational safety and health field
- Pass a verification session conducted by the Department of Occupational Safety and Health (DOSH), if requested

**Note: If you take an Occupational Safety & Health course with an institution that's recognised by DOSH, you will be exempted from taking the Safety and Health Officer course.*

Source: www.eduadvisor.my

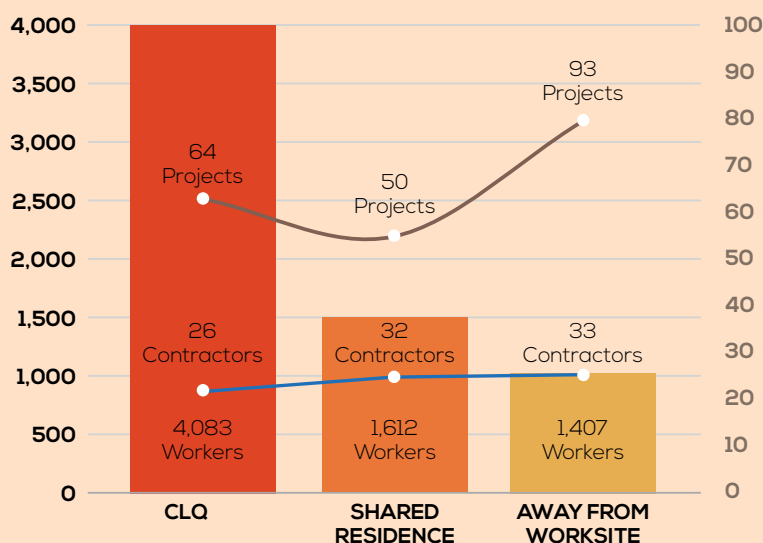
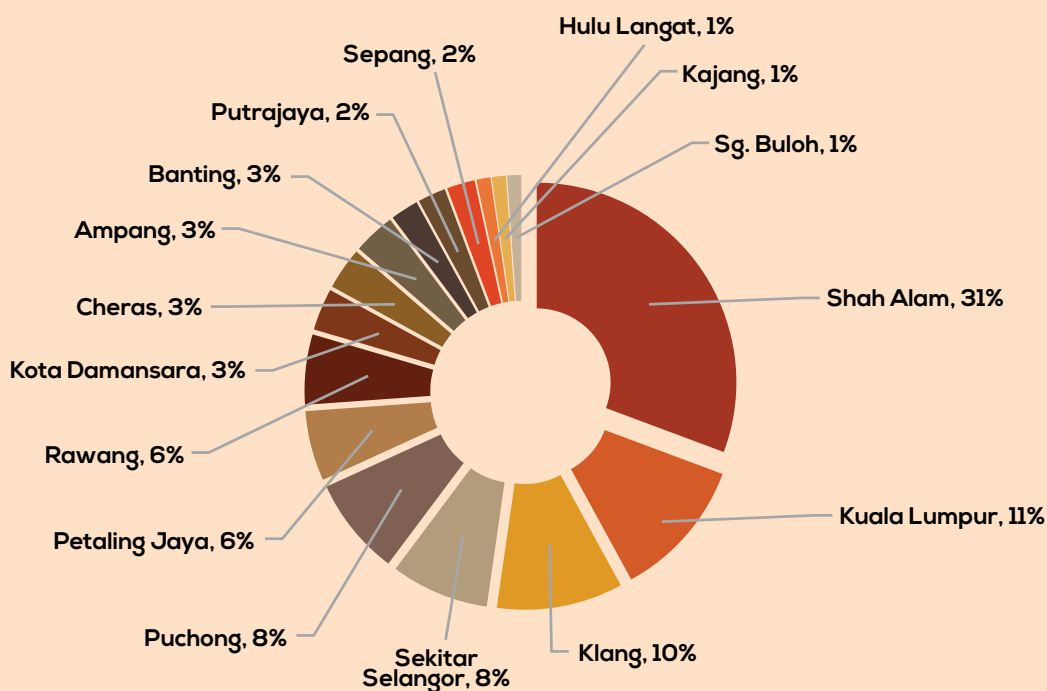
MONITORING COMPLIANCE OF MCO SOP

CONSTRUCTION SITES INSPECTION ACCORDING TO STATES 20 APRIL - 28 JULY 2020 (CUMULATIVE)



EMPLOYEE PLACEMENT SURVEY FOR COMPANIES WITH PERMISSION TO OPERATE DURING THE MCO PERIOD (SURVEY PERIOD 22 - 24 APR 2020)

NO	RESIDENCE	NO. OF CONTRACTORS	NO. OF PROJECTS	NO. OF WORKERS
1	CENTRALISED LABOUR QUARTERS (CLQ)	26	64	4,083
2	SHARED RESIDENCE	32	50	1,612
3	AWAY FROM WORKSITE	33	93	1,407
TOTAL		91	207	7,102



655 SMS blast



105 Surveys received
(comprising 91 contractors, 14 consultants)

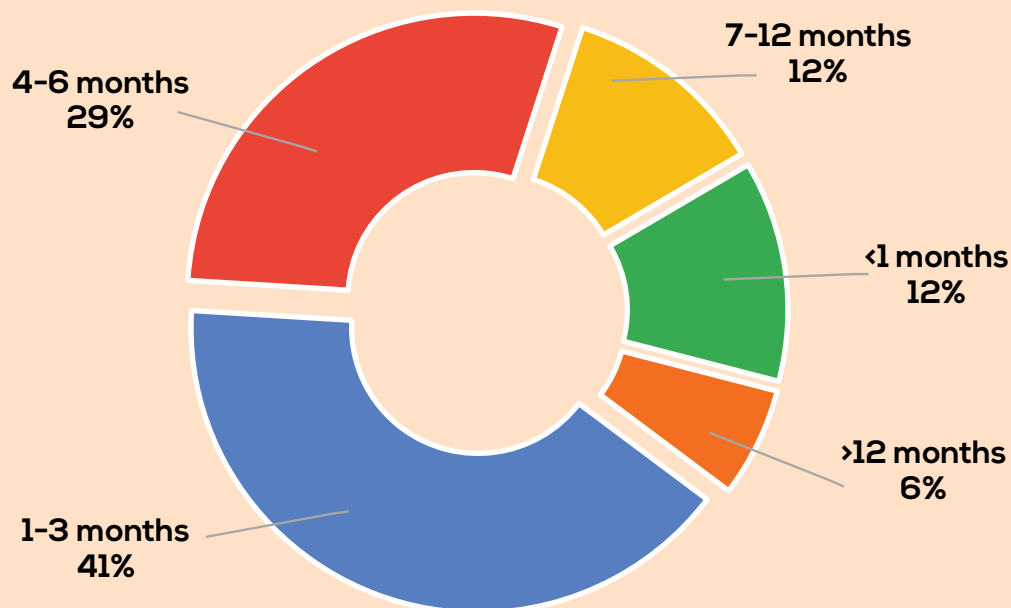


Survey participants were companies with permission to operate till 20 April 2020 within Selangor & Kuala Lumpur only.

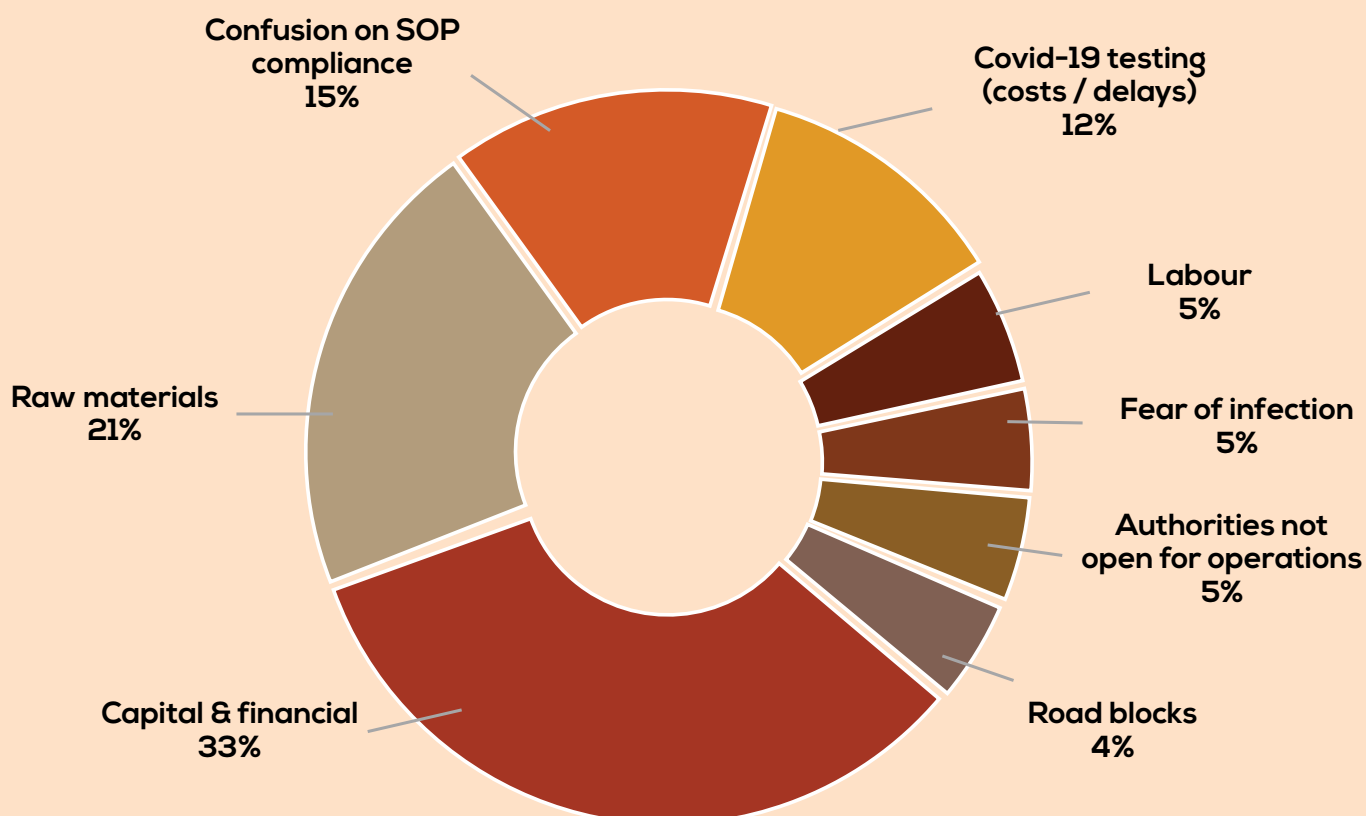


SURVEY ON CONTRACTOR ISSUES & CHALLENGES IN STARTING OPERATIONS (SURVEY PERIOD 14 - 15 MEI 2020)

Time Taken to Return to Operation at Full Capacity

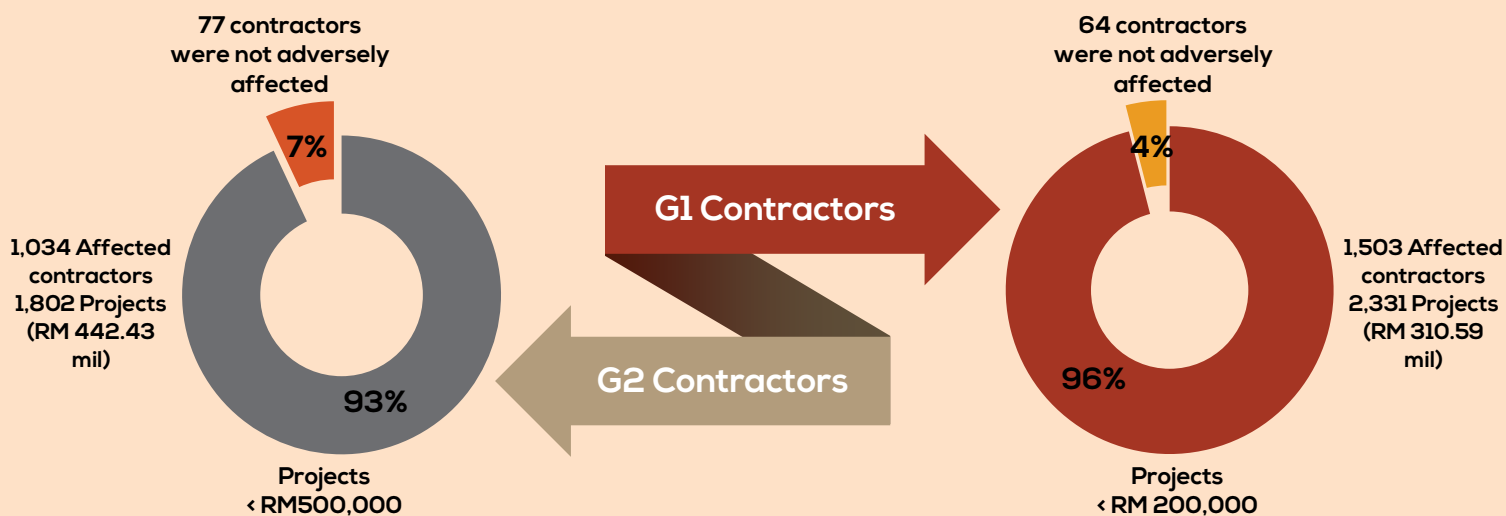
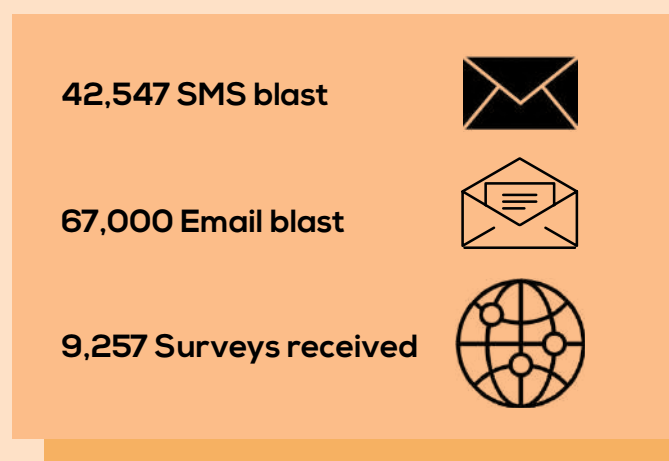
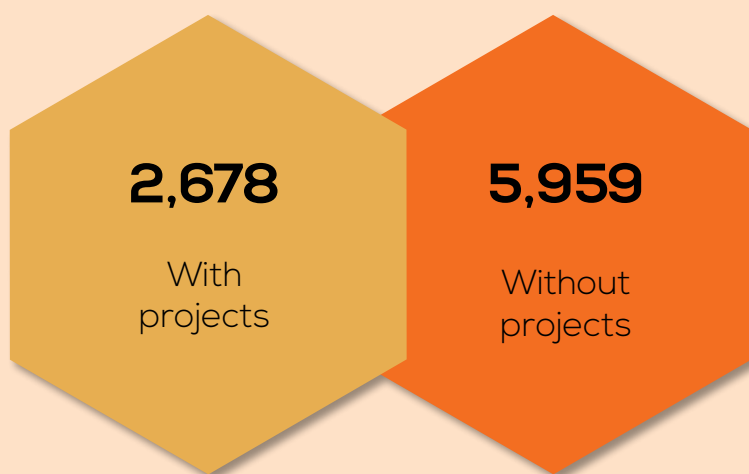
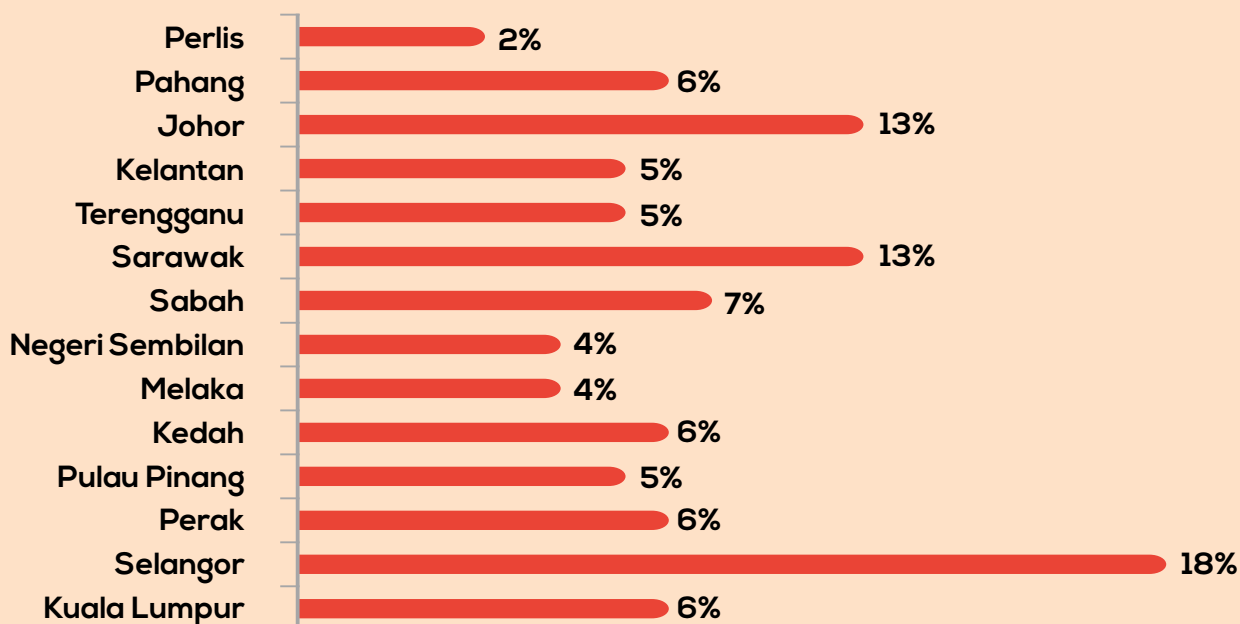


Main Issues Faced in Starting Operations During MCO



SURVEY OF G1 & G2 CONTRACTORS AFFECTED BY THE MCO (SURVEY PERIOD: 9 – 15 APRIL 2020)

Location of Construction Sites





Source: LRT3

 CIDB Malaysia awarded MRCB George Kent Sdn, Bhd. with a 5-star Sustainable INFRASTAR certification for the design phase of the LRT3 project

LRT3 AWARDED 5-STAR INFRASTAR RATING

The infrastructure project takes a significant step forward towards environmental sustainability

MRCB George Kent Sdn Bhd made history recently for being the first infrastructure project to receive a 5-star rating for environmental sustainability, which is a strategic thrust under the Construction Industry Transformation Plan 2016-2020 (CITP). CIDB Malaysia awarded the company with a 5-star Sustainable INFRASTAR

certification for the design phase of the Light Rail Transit Line 3 (LRT3) project, spanning from Bandar Utama to Johan Setia.

The certificate of recognition was presented by Tuan Baru Bian, the then-Minister of Works in conjunction with a working visit to the LRT3

construction site. The Minister also witnessed the signing of a Memorandum of Understanding (MoU) between CIDB and MRCB George Kent Sdn Bhd to enhance environmental sustainability programmes and good practices in construction works.

“

Industry players who participate in the Sustainable INFRASTAR assessment stand to reap many benefits, including reducing construction and operation costs, provided that they incorporate sustainability elements during the design stage

”



LRT3 was the first infrastructure project to receive a 5-star rating for environmental sustainability

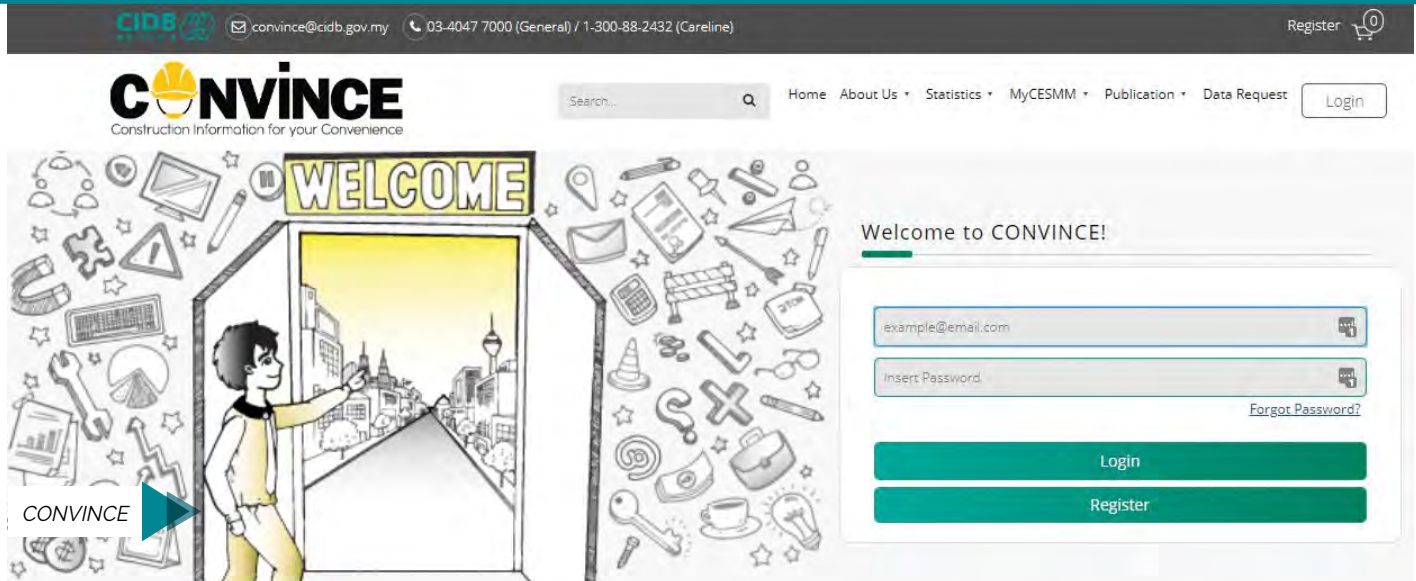
Launched in March 2019, Sustainable INFRASTAR is an assessment tool for infrastructure projects on key sustainability factors, such as land use, impact of equipment use, resource and waste management on construction sites. It covers infrastructure construction, including highways and roads, water treatment plants, airport rail links, jetties and marinas, sewerage pipe networks, wastewater treatment plants and telecommunication networks. Sustainable INFRASTAR complements other tools, such as the Malaysian Carbon Reduction and Environmental Sustainability Tool (MyCREST) for building construction by CIDB, and Malaysia Green Highway Index by the Malaysian Highway Authority.

"CIDB has taken the initiative to develop the Sustainable INFRASTAR rating tool, which evaluates the sustainability of an infrastructure project, including the design, development and construction of the project," said Datuk Ir. Ahmad 'Asri Abdul Hamid, Chief Executive of CIDB Malaysia, who was also present in the certification award ceremony. "This is done to ensure that the nation's construction sector does not adversely affect environmental sustainability."

Projects assessed during the design stage will be given provisional rating and the full rating will be granted upon completion. The projects are rated from one-star (starting from a 40 per cent score) with five-star being the highest score.

The Sustainable INFRASTAR rating system was developed with the collaboration of industry players from the private and government sectors through various committees established and coordinated by CIDB. The tool is benchmarked against similar rating tools or systems used internationally such as CEEQUAL from the UK, Envision from the US, ISCA from Australia and Pearl Estidama from the UAE.

"Industry players who participate in the Sustainable INFRASTAR assessment stand to reap many benefits, including reducing construction and operation costs, provided that they incorporate sustainability elements during the design stage," said Datuk 'Asri.



CIDB Launches CONVINCe: One-stop Construction Information Portal

Construction Industry Development Board (CIDB) Malaysia recently launched the "Construction Information for Your Convenience" (CONVINCe) portal, a one-stop platform for all construction-related information, which is now available to all stakeholders.

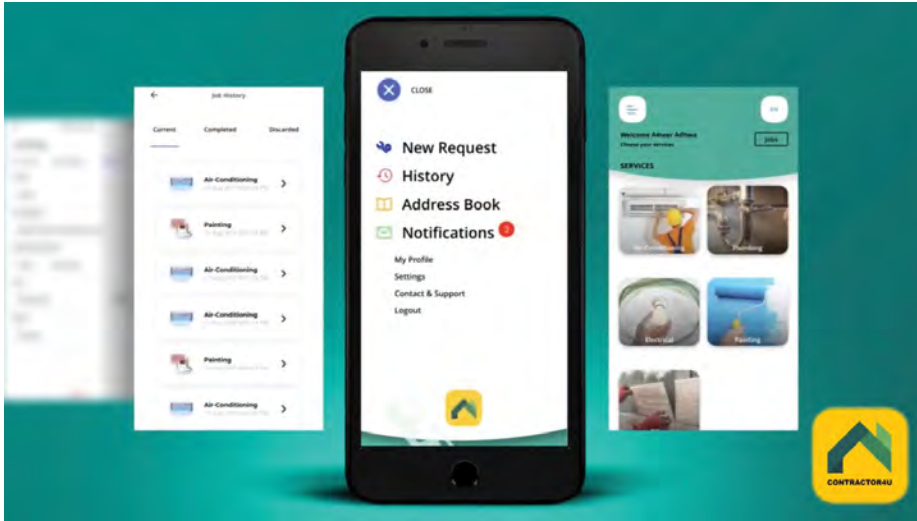
CONVINCe provides the latest information and updates in the form of interactive construction statistics, data request services, digital publications and searchable directories. The information made available through CONVINCe will enable organisations be more effective in their policy formulation, strategic planning and construction industry forecast.

Having access to comprehensive construction information will enable industry players and stakeholders to make information-based decisions and reduced business risks.

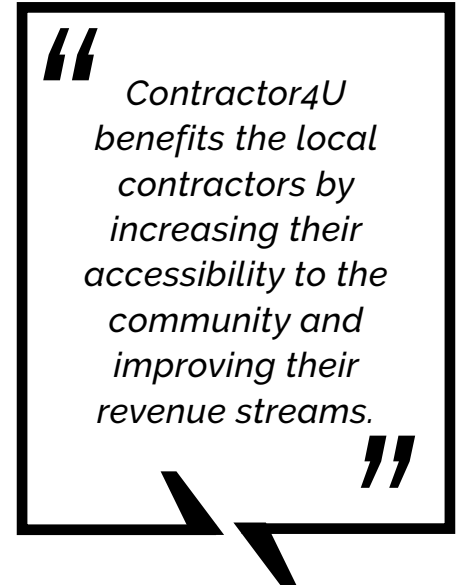
The main objective of CONVINCe is to enhance the availability and awareness on construction information, specifically to establish a centralised online platform to manage and compile construction information, increase efficiency and reliability in extracting and analysing data, and enable easier access and availability of construction information.

CONVINCe is a key initiative under the Construction Industry Transformation Programme (CITP) 2016-2020 and expects to register more than 3000 users by the end of 2021.

Contractor4U: A VIABLE MARKETING PLATFORM FOR G1 AND G2 CONTRACTORS



 G1 and G2 contractors are encouraged to leverage on Contractor4U Pro as a viable marketing platform for their services




The Contractor4U smartphone application is designed for homeowners and businesses seeking the services of CIDB-registered local contractors who specialise in the fields of air conditioning (M01), indoor plumbing (B10), electrical wiring (E04), tile (B13) and paintwork (B14), renovations (B28) and landscape work (B09).

An initiative by CIDB Malaysia, the application will provide convenience to the masses, and also the confidence that the contractor they choose is indeed skilled and fully able to do a good job. The app is hoped to reduce the tendency of the public from engaging the services of foreign and unregistered contractors. Contractor4U benefits the local contractors by increasing their accessibility to the community and improving their revenue streams.

Interested G1 and G2-grade local contractors offering the above-mentioned services are encouraged to register their services on the app. Successful applicants will be given 10 CCD points and membership is free for the first 12 months.

Contractor4U is available nationwide, and customers can engage the services of the contractors that are closest to them. The app does not contain any pricing info, giving the customers and contractors the freedom to negotiate the final price of services rendered.

For more information, visit contractor4u.cidb.gov.my.

 Local contractors who offer services such as air conditioning repair work are eligible to register at Contractor4U



LBS BINA GROUP HANDS OVER IBS-BUILT HOMES NINE MONTHS EARLY

The first batch of IBS-built homes in LBS Alam Perdana township, Simfoni Perdana and Irama Perdana, were delivered nine months ahead of schedule.



Source: LBS Alam Perdana

The proud homeowners of LBS Alam Perdana township received their keys nine months earlier than anticipated

LBS Bina Group Berhad (LBS) achieved a milestone by handing over the keys to proud homeowners of Simfoni Perdana and Irama Perdana, located within the LBS Alam Perdana township. The initial two phases of LBS Alam Perdana township were the first LBS projects built using the Industrialised Building System (IBS) components supplied by MGB Berhad, a subsidiary company of LBS. MGB Berhad has teamed up with SANY Construction Industry Development (M) Sdn. Bhd. to open its first permanent IBS precast concrete plant in Nilai.



According to LBS Group Managing Director, Tan Sri Lim Hock San, LBS is constantly looking for new measures to build homes that satisfy the needs of homebuyers, as well as build it faster and better. "Thanks to the application of IBS technology, we have successfully completed the homes nine months ahead of schedule. We are delighted to celebrate the beginning of their new chapter of life together."

Source: LBS Bina Tan Sri



LBS Group Managing Director,
Tan Sri Lim Hock San

"Thanks to the application of IBS technology, we have successfully completed the homes nine months ahead of schedule. We are delighted to celebrate the beginning of their new chapter of life together."

Tan Sri Lim also pointed out that LBS Alam Perdana is another signature township project that bears LBS' hallmark features of affordability, connectivity and community; where homes are built to inspire and enrich life.

First launched in 2017, LBS Alam Perdana is a fully gated and guarded township situated on a 469.86-acre plot of land in Bandar Puncak Alam, Selangor. Phase one, Simfoni Perdana, comprises 980 units of townhouses equipped with three bedrooms and two bathrooms. With built-up areas from 1,191 sq ft, the units are priced from RM408,000.

Meanwhile, phase two, Irama Perdana, offers 673 units of double-storey terraced houses priced from RM509,900. Each unit has an average built-up area of 1,208 sq. ft. and is equipped with four bedrooms and three bathrooms.

Tan Sri Lim elaborated, "LBS Alam Perdana township is one of the main focus areas for LBS over the next few years. So far, all units of phase one, Simfoni Perdana, and phase two, Irama Perdana, with a Gross Development Value of RM711.2 million, have been almost sold out since its debut in

October 2017 and we are confident that the remaining launches will continue to receive strong responses, given its strategic location and improved connectivity."

LBS Alam Perdana is only 7km away from the KL-Kuala Selangor Expressway (LATAR). It is also easily accessible via the Guthrie Corridor Expressway (GCE), New Klang Valley Expressway (NKVE), North-South Highway (PLUS) and the upcoming Damansara-Shah Alam Expressway (DASH).

CIDB lauds LBS' achievement and have long championed the need to industrialise the industry with IBS.

IBS offers technology-intensive construction techniques where components are manufactured in a controlled environment, either at site or off-site, placed and assembled into construction works.

As such, IBS allows contractors to move away from labour-intensive activities. Industry players are encouraged to adopt IBS as it helps them in producing and delivering high quality products within a shorter time frame, offering value for money while remaining competitive.



SHASSIC Day 2020 recognises the achievement of 40 contractors who scored 5-star SHASSIC ratings

INAUGURAL SHASSIC DAY RECOGNISES 40 EXEMPLARY CONTRACTORS

The event also marked the launch of Construction Industry Standard (CIS) 27: 2019, which will help in improving safety of construction sites

CIDB has recognised 40 contractors for achieving 5-star rating Safety And Health Assessment System In Construction (SHASSIC) in conjunction with SHASSIC Day which was held for the first time recently. SHASSIC Day was organised to recognise the industry players' stellar performance in construction safety and health practices.

This SHASSIC program is in line with the goals outlined in the core Strategic Quality, Safety and Professionalism under the Construction Industry Transformation Programme 2016-2020 (CITP), which outlines the steps for improving safety practices at construction sites. CITP's objective is to reduce the number of accidents and deaths at the construction sites

by 10% each the year starting from 2021 based on 2020's statistics.

Currently, the death rate in the Malaysian construction industry is 13.44 deaths for every 100,000 construction workers, which is the highest compared to other industries in the country.

"However, efforts to change these statistics are not confined to one party or agency. In fact, various parties authorities, clients or project owners, consultants, employers and employees themselves play a part in ensuring that the construction site environment safe and sound," stated Dato 'Ir. Dr. Meor Abdul Aziz Bin Osman, the Chairman of CIDB Malaysia during his speech to commemorate the launch of SHASSIC Day. Also present were Datuk 'Ir. Ahmad Asri Abdul Hamid, Chief Executive of CIDB Malaysia and his deputy, Datuk Ir. Elias Ismail.

SHASSIC was introduced in 2008 through the cooperation of CIDB with other agencies including the Department of Occupational Safety and Health (DOSH), the Public Works Department (JKR), Master Builders Association Malaysia (MBAM), among others. SHASSIC is a safety and health performance evaluation system that measures the Occupational Safety and Health (OSH) preparedness of contractors in a construction project or activity. With SHASSIC, OSH's performance in the Malaysian construction industry is objectively evaluated and benchmarked against equivalent standardised systems.

"Based on their SHASSIC scores, industry players can identify their respective levels of OSH practices. In order to help industry players improve their level of OSH practices, several special trainings or corrective actions can be arranged to assist contractors and their employees improve on-site safety and health management.

"Through this initiative, it is hoped that the occurrence of construction-related accidents will be reduced and the quality and well-being of people working in the industry can be enhanced," said Datuk 'Ir. Ahmad Asri Abdul Hamid, Chief Executive CIDB Malaysia.



Contractors should ensure that they have sufficient allocation to implement OSH on-site to reduce the rate of construction-related accidents

In conjunction with the momentous event, the then Minister of Works also launched Construction Industry Standards Construction (CIS) 27: 2019 Occupational Safety and Health - Specification and Bill of Quantities (BQ) for Construction Works. These standards detail the necessary OSH requirements that needed to be taken into account when calculating the costs of running a project. This ensures that the project has sufficient provisions to manage the OSH aspects on-site.

Companies that include the OSH implementation costs in the Bill of Quantities (BQ) may run the risk of losing the tender due to their higher price compared to those who choose to omit OSH-related expenses when bidding for a project. To prevent this from occurring, project owners or clients may refer to CIS 27: 2019 to verify if the OSH expenses quoted in the tender bids are reasonable when implementing OSH in their projects. This is to ensure all contractors have sufficient allocation to implement OSH on-site, comply with the legal

requirements and commit to good practices in an effort to reduce the rate of construction-related accidents.

"I believe that the long-term implementation of SHASSIC coupled with the use of CIS 27: 2019 will help inculcate a culture of quality, safety and professionalism in the construction industry, in line with CITP's goals," said Dato 'Ir. Dr. Meor Abdul Aziz.

“ Through this initiative, it is hoped that the occurrence of construction-related accidents will be reduced and the quality and well-being of people working in the industry can be enhanced. ”



Important Announcement

DUE TO THE CORONAVIRUS PANDEMIC, ICW, WHICH WAS ORIGINALLY SET TO RUN 23 TO 25 JUNE 2020, WILL BE POSTPONED TO 15 TO 17 JUNE 2021



CIDB PRIHATIN INITIATIVE

The CIDB Prihatin Initiative, which was announced by the Senior Minister of Works, Dato' Seri Hj. Fadhillah Bin Hj. Yusof on 9 May, is meant to help the contractors and other construction industry players nationwide weather through these challenging times.



LEVY PAYMENT DEFERMENT (PRIVATE SECTOR PROJECTS ONLY)

All new project declarations from 01 January 2020 until 31 May 2020 will be given a 2-month deferment for levy payment (including the 30-day liability period)



FLEXIBILITY IN CONTRACTOR REGISTRATION REQUIREMENTS

CCD points excluded from requirement terms for renewal of contractor registration for 2020 (April - December)



MCORE ASSESSMENT (G1) POSTPONED TO 2021

MCORE assessment for G1 contractors that was due to begin on 1 May 2020 postponed to 01 Jan 2021



WAIVER OF SKP AND INTEGRITY COURSE REQUIREMENT

Waiver of Management Efficiency Certificate (SKP) and Integrity Course from contractor registration renewal requirements for the period of 1 April to 31 December 2020



REGISTRATION FEE DEFERMENT FOR LOCAL CONSTRUCTION PERSONNEL SKILLS TRAINING

Skills training for local construction personnel is free of charge until the end of 2020



FEE PAYMENT DEFERMENT FOR SKILLS COMPETENCY ASSESSMENT

Registration fee for Skills Competency Assessment for local workers waived, and a 50% discount in assessment fees for foreign workers until the end of 2020



FEE INCENTIVES FOR SUPERVISORY AND MANAGEMENT PROGRAMMES

50% discount for supervisory and management training programmes (SSS, CSHO, TMO, SS etc.)



CONSTRUCTION PERSONNEL REGISTRATION CARD

Validity period of the Temporary Construction Personnel Pass extended from 2 months to 6 months



CERTIFICATE OF APPROVAL (COA) FEE INCENTIVE

Reduced COA fee from RM1000 to RM750 from 15 May 2020 to 31 December 2020



 Dato' Dr. Syed Omar Sharifuddin bin Syed Ikhsan Secretary-General of the Ministry of Works observing the Covid-19 swab tests conducted on foreign workers. Standing from his right are CIDB Chief Executive Datuk Ir. Ahmad 'Asri Abdul Hamid, PERKESA Head of Prevention, Media and Rehabilitation Division Dr Azlan bin Darus and CIDB Deputy Chief Executive Datuk Ir. Elias Ismail.

FREE COVID-19 SCREENINGS FOR FOREIGN CONSTRUCTION WORKERS IN KL, PUTRAJAYA & SELANGOR

Since the Program Saringan Prihatin (PSP) PERKESO was launched on 27 April this year, more than 13,000 foreign construction workers have undergone the Covid-19 tests free of charge.

The PSP is in line with the government's call for all foreign workers in the construction and security services sectors in Kuala Lumpur, Putrajaya and Selangor to undergo a Covid-19 swab test before starting operations. This mandatory call is part of the overall effort to break the chain of Covid-19 infections.

To date, more than 33,000 foreign workers from various economic sectors have undergone Covid-19 tests; about 40% of those are from the construction sector.

To encourage more contractors to send their workers for Covid-19 swab tests, CIDB has collaborated with PERKESO in organising a centralised Covid-19 testing for all contractors around Selangor, Kuala Lumpur and Putrajaya.

Medical personnel preparing to conduct the Covid-19 swab tests.





A medical personnel taking cell samples from a foreign worker.

The initiative managed to attract the participation of 700 foreign workers from 59 companies to get their testing done at the CIDB Convention Centre in Kuala Lumpur on 5 June 2020.

Starting 1 June 2020, the scope of PERKESO PSP has been expanded to include subsidising RM150 of the cost of each Covid-19 test conducted in order to allow more service providers to offer the Covid-19 testing services for their employees. Employers can send eligible workers to get the tests done at any clinics or hospitals that are approved by the Ministry of Health. Workers who have not opened a PERKESO account can do so before conducting the test, in order to benefit from the subsidy.

For more information on PERKESO PSP, please call the PERKESO customer service line at 03-42645089 / 03-42645555 / 1-300-22-8000 or email hsp@perkeso.gov.my.

COVID-19 SCREENING TEST

#TOGETHERWECARETOSTOPCOVID19

OPEN TO ALL
CONSTRUCTION
PERSONNEL

CIDB Holdings Sdn Bhd (CIDBH)

(a wholly-owned subsidiary of CIDB Malaysia) in collaboration with **Genesis Fortis Sdn Bhd** (MOH approved Panel Clinics) encourages all construction personnel to undergo Covid-19 Screening Test to curb the spread of covid-19 disease at site.

~~RM320~~ **NOW!**
RM250 /pax
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*RM150.00 REBATE

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(Subject to SOCSO T&C)

For more info visit: www.perkeso.gov.my

REGISTER NOW!

www.cswms.com.my

DETAILS:

DATE / TIME

By Appointments
via CSWM

LOCATION

- On-Site (Minimum 30/pax for each site)
- Centralized location / Drive-Thru (Date & Time to be confirmed by Genesis Fortis Sdn Bhd)

TEST METHOD

RT-PCR (Real-Time
Reverse Transcription-Polymerase
Chain Reaction)

RESULT

DURATION
Within 72 Hours /
3 Days

PROCESS FLOW OF COVID-19 SCREENING TEST:

1



Registration by
employer
(via CSWMS)

2



Key-in workers
data for
appointment

3



Payment made
by employer

4



Appointment
confirmation

5



Screening test
(Centralized/
On-Site)

6



Covid-19
Screening
test result



For enquiries, please contact
us :



03 – 4042 8880



013 – 679 7435



assessment@cidbh.com.my

Operation Hours :

Monday – Friday (9AM – 4.30PM)



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RM750

☒ **CCD POINTS APPROVED**



**HRDF
CLAIMABLE**