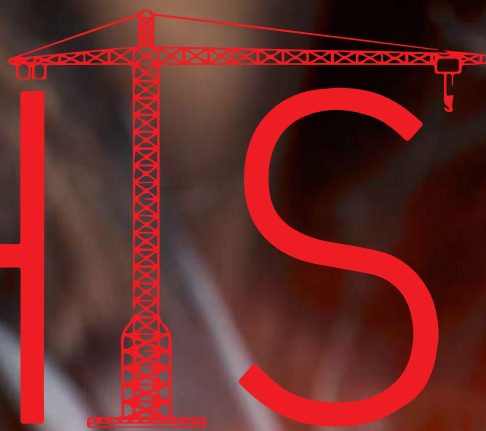


HEIGHTS



CONSTRUCTION FROM A NEW ANGLE

ISSUE 3 • JULY - NOV 2021

BIJAK PILIH KONTRAKTOR

Elak Impian Ubah Suai
Rumah Musnah
Separuh Jalan

DATUK AR. EZUMI HARZANI

Better by Design

RED HILL GALLERY

The Adventure of Finding
a Destination in a Forest

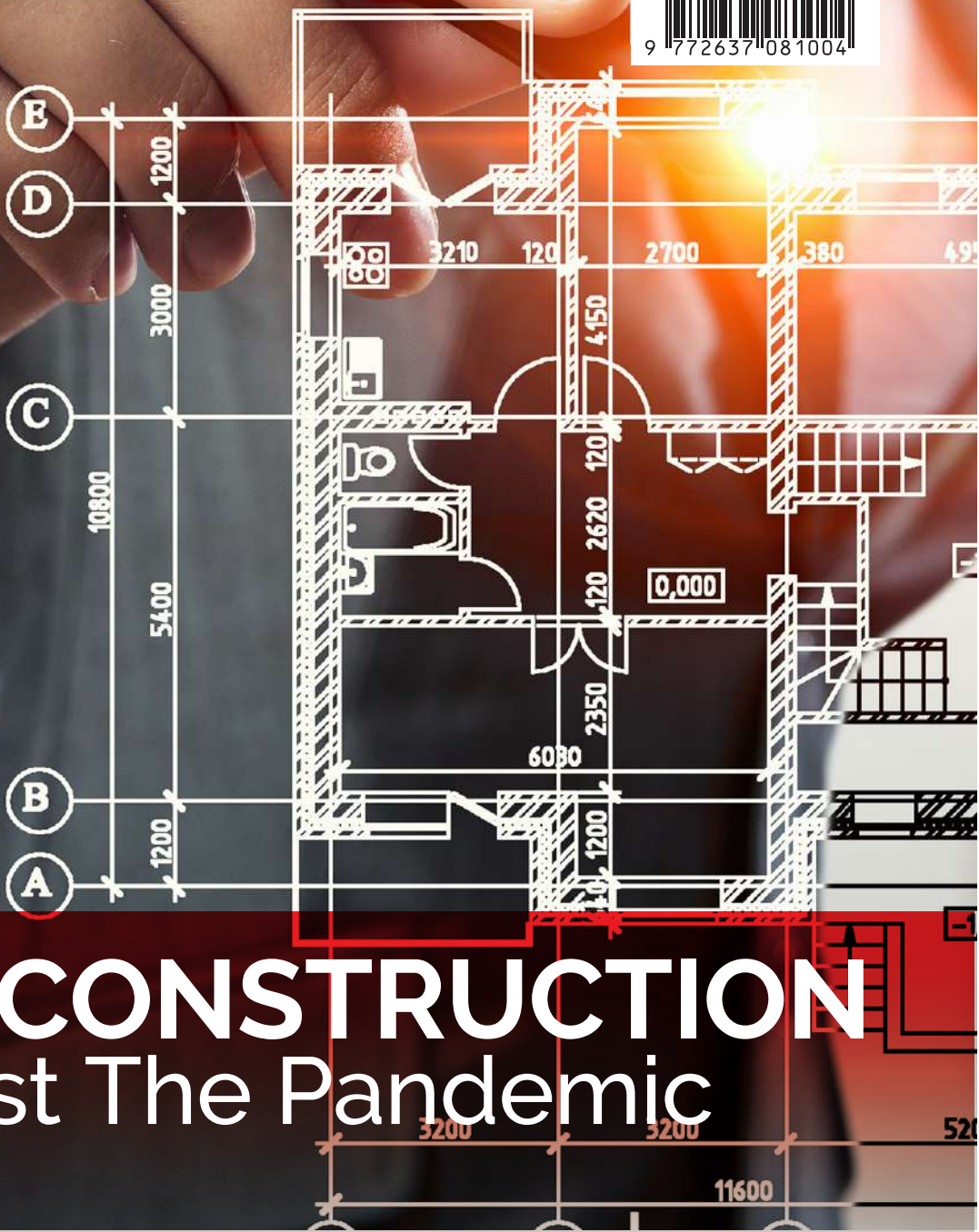
EXPERT OPINION

Ensuring Business
Continuity Through the
NRP Phases

ISSN 2637-0816



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SMART CONSTRUCTION

Amidst The Pandemic

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Towards a Smarter & Safer Construction Industry

This issue focuses on smart and safe construction - the two areas that could radically transform the construction industry's professionalism, productivity and profitability.

Productivity and quality have been intrinsically linked to workplace safety and health. Investing in workplace safety and health will lead to increased productivity, better morale and improved job quality. This is depicted in our cover story on the team behind Imperial Lexis Kuala Lumpur.

Not to be missed is our webinar recap which highlights the latest temporary structures regulations by DOSH and related publications of Construction Industry Standards (CIS) by CIDB. Importantly, the National Construction Policy 2030 (NCP 2030), launched during the International Construction Week 2021 (ICW 2021), would steer the Malaysian construction industry towards being a globally recognised and competitive one.

At the end of the day, everyone in the construction business has a role in ensuring that construction sites and workplaces are safe and risk-free. The use of smart construction technology is key to delivering quality work both on time and on budget, without jeopardising worker health and safety. By embracing such technologies, construction safety can be transformed to a proactive approach, thus preventing the occurrence of workplace accidents and fatalities.

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

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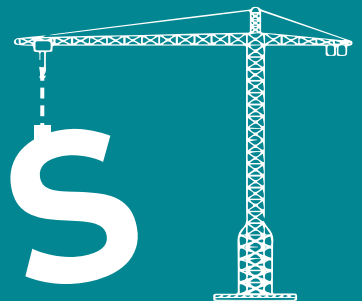
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 The Rugged Robotics rover

Rugged Robotics completes its first full-scale pilot on the Consigli building site

Rugged Robotics, a Houston-based construction technology company, has completed its first full-scale test with Consigli Construction. Consigli is a major construction company in the Northeast and Mid-Atlantic region of the United States, serving customers in various industries such as academic, health care, life sciences, institutional, energy, corporate, and government. The partnership between the two firms is consistent with Consigli's commitment to supporting and utilising cutting-edge technology to enhance construction efficiency.

Rugged Robotics tackles the problem of field layout with its first product. Traditionally, field layout is done by physically marking the position of walls and mechanical systems with tape measures, chalk lines, and surveying tools. Rugged Robotics automates this procedure by physically imprinting completely coordinated patterns on concrete floors with small robotic vehicles. Construction workers may use the rover to print considerably more information than is usually visible on a manual layout, reducing the time spent examining designs and, as a consequence, completing faster, more precise installations. It also aids with the elimination of any oversights and mistakes in the manual layout, which can have an influence on numerous trades and result in improper installation, delays, and rework.

The Rugged Robotics rover was recently tested at Cambridge Crossing – Parcel H, where Consigli is constructing the new headquarters for Sanofi, one of Massachusetts' major life science companies. Rugged delivered a multi-trade arrangement on six storeys covering more than 240,000 square feet at Parcel H. Their automated layout enhanced collaboration, decreased mistakes, and saved substantial time on the front end.

"At Consigli, our leadership and technology teams are continuously searching for methods to make construction projects more accurate and efficient and to maximise resource allocation on each site," said Jack Moran, Assoc. AIA, LEED AP and Consigli's director of VDC and Integrated Services. "We see technology as a means to help our workers and fulfil future construction demands." Rugged Robotics demonstrated its worth by providing an automated tool that exceeded our expectations and operated in tandem with our team."

Rugged and Consigli will continue to work after the pilot as Rugged refines, installs, and grows their solution. Future Consigli initiatives that will make use of the robots are already in the works.

Source: www.worldconstructiontoday.com

US infrastructure bill contains \$100M for construction technology

The US Senate recently passed a US\$1.2 trillion bipartisan infrastructure bill that includes \$100 million over five years to accelerate the implementation of digital construction technology such as 3D modelling software and digital project management systems.

The Coalition for Smarter Infrastructure Investments, a group of digital infrastructure firms including Bentley Systems and Mott McDonald, campaigned for the funds to be included in the bill to shift away from the pen-and-paper procedures that still dominate the construction sector.

"With increasing financing, it's more critical than ever to modernise how we design, build and maintain infrastructure so that every dollar we invest goes further," said Si Katara, co-founder of the alliance and president of visual-based inspection technology business HeadLight. According to Katara, the law presents enormous business potential in a "rising tide raises all boats" situation. The measure, according to Katara, is a "once in a generation opportunity to accomplish something transformational."

The bill includes billions of dollars in support for bridges, roads, and other ageing infrastructure, as well as a US\$20 million investment fund for construction management

innovation. It was approved by the Senate on a 69-30 vote, paving the way for it to be considered in the House.

Construction management technologies aren't the only high-tech improvements being considered by Congress in the bill. According to CNBC, electric vehicles and broadband internet are also in line for major federal support, with the two receiving a total of US\$72.5 billion.

Beginning immediately after the Biden administration released its major infrastructure programme in March, the alliance campaigned to change how the United States works on infrastructure this summer. Its success is now critical to a contemporary route ahead for infrastructure spending, according to the coalition.

"It would be insane to invest hundreds of billions of dollars in new infrastructure while still depending on design and management systems that look like they're from the 1930s," said David McKenney, vice president of Bentley Systems. "America ranks just 13th in the world in terms of infrastructure; we need to invest more to compete, but we also need to invest more wisely. We can achieve this with the aid of technology and data."

Source: www.constructiondive.com

The bill was approved by the Senate on a 69-30 vote





UK experiences slowest rise in construction output since February

UK experiences slowest rise in construction output since February

The recovery in the UK construction output has slowed since June, according to IHS Markit and CIPS PMI® data. Many respondents said they were having trouble keeping up with the current demand for building projects, citing shortages of raw materials and subcontractors.

Demand for building materials continues to outpace supply, resulting in a sharp rise in purchase costs. Around 80% of respondents reported an increase in average cost burdens in July, while only 1% reported a decrease.

While down from June's 24-year high of 66.3, the seasonally adjusted IHS Markit/CIPS UK Construction PMI® Total Activity Index at 58.7, remained far over the critical 50.0 no-change threshold. Overall, building production increased at its weakest pace since February. Civil engineering (55.0) growth slowed considerably in July, the lowest in five months.

The total order books improved in July, although the increase was the weakest since March. Similarly, input purchases grew at their weakest pace since April as demand slowed. Reduced material availability also slowed purchases in July, according to contractors.

In July, 66 per cent of survey respondents reported greater supplier delivery wait times, while only 2 per cent indicated better vendor performance. Even so, the current measurement was up from June's record low and the highest in three months. Lack of mobility, port congestion, and Brexit trade frictions exacerbated supply imbalances, according to survey respondents. In July, rising input costs accelerated due to supply constraints and strong demand for building materials.

Subcontractor prices increased, and employee openings were harder to fill. The current reduction in subcontractor availability was second only to the shutdown in April 2020.

Finally, construction businesses continued to employ quickly, indicating increased orders and confidence in the short future. While the index remained historically high, it fell to its lowest level in six months in July.

Tim Moore, Economics Director, IHS Markit, commented, "The building rebound has slowed since the start of the year. With widespread supply constraints and limited capacity to take on new contracts, it was predictable that UK construction businesses could not continue production growth at a 24-year high in June. The slowdown affected all major construction sectors, but was most apparent in the housing industry."

"Materials lead times and subcontractor availability were identified as problems slowing site construction. Around two-thirds of the study group saw higher supplier delivery wait times in July, while only 2% reported an improvement."

Chartered Institute of Procurement & Supply Group Director Duncan Brock said, "Construction lost some of its vigour due to widespread supply chain problems, employee shortages, and contractor shortages. With transit issues, shortages of necessities, and Brexit delays, this year's early boom is in trouble. In the face of these obstacles, optimism has dwindled to its lowest level since January."

Source: www.cips.org

China's largest-diameter drilling machine Yunhe put into use in Beijing

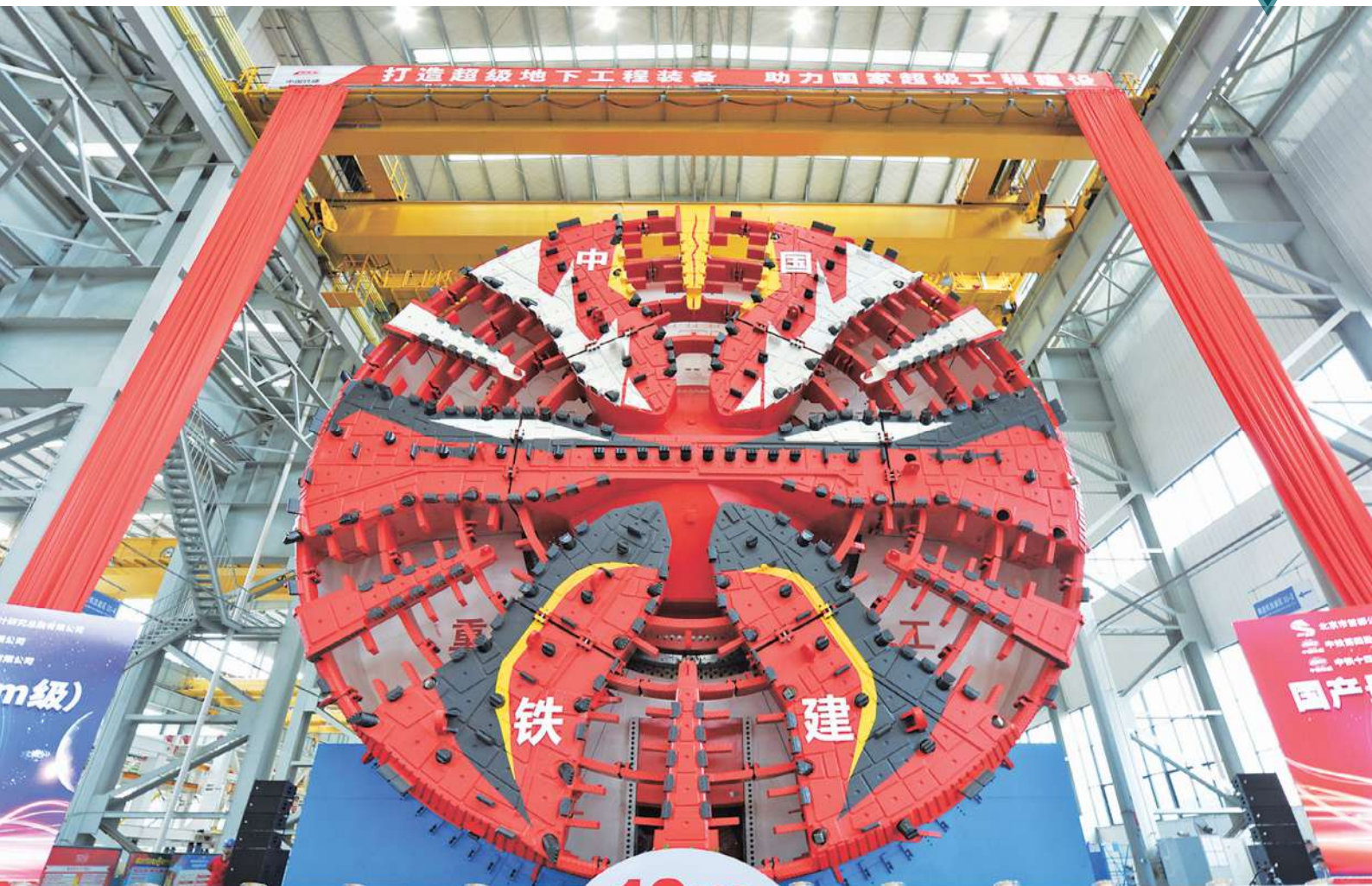
On August 10, China's self-developed largest-diameter slurry tunnel boring machine (TBM), Yunhe, began boring at the Beijing East Sixth Ring Road Reconstruction Project. The tunnelling segment of the 16-kilometre project is 7.4 kilometres long. The CCCC portion must travel over or below several highways, railways, and waterways in the metropolitan sub-centre, posing significant construction challenges.

For the project, CCCC modified the super-large diameter TBM. The TBM has a total length of 145 metres, an excavation

diameter of 16.07 metres, and a weight of 4,500 tonnes. It is outfitted with a number of cutting-edge technologies, such as the ability to dig 4,800 metres without replacing its cutter. The Beijing East Sixth Ring Road Reconstruction Project would successfully reduce traffic congestion on the East Sixth Ring Road while promoting coordinated development in the Beijing-Tianjin-Hebei area.

Source: en.ccccltd.cn

China's largest tunnel boring machine was first produced in Changsha on 27 September.



CRCC 铁四院
中国铁建

ECOF 首发集团

16m级

BMEI 北京市政总院


北京正宏监理

国产最大直径盾构机荣耀下线


An artist's impression of the Imperial Lexis Kuala Lumpur hotel. The image shows a tall, modern skyscraper with a glass facade and a distinctive orange 'LEXIS' logo on top. The building is surrounded by other city structures and greenery at the base. The sky is blue with light clouds.

SMART CONSTRUCTION AMIDST THE PANDEMIC

China State Construction Engineering (M) Sdn. Bhd. has done an excellent job in mitigating the spread of Covid-19 in their Imperial Lexis Kuala Lumpur worksite. Thanks to their smart system and stringent safety measures, they have managed to work efficiently during the pandemic to meet the looming completion deadline.

 Artist impression of Imperial Lexis Kuala Lumpur



 Lyu En, Managing Director of CSCCEM

The soon-to-be-opened Imperial Lexis Kuala Lumpur is located within the famous KLCC enclave. This towering 54-story skyscraper, scheduled for completion in May 2022, is modern in style while radiating luxury in every manner. Each of the 440 guestrooms has its own private pool and sauna room, which is a first in Malaysia's capital. In fact, the project is slated to achieve a world record with the most number of swimming pools in a high-rise building.

Behind this ambitious project is the main contractor, China State Construction Engineering (M) Sdn. Bhd. (CSCCEM). CSCCEM is a wholly-owned subsidiary of China State Construction Engineering Corporation (CSCEC) in Malaysia. Founded in 1957 as a state company, CSCEC is globally renowned and has evolved to be

China's largest construction and real estate conglomerate and contractor of building works. It operates in over 130 countries worldwide with 29 branches and is ranked No. 13 in the Fortune Global 500 in 2021.

Smart System for Safety & Efficiency

CSCCEM has been working hard behind the scenes to bring Imperial Lexis Kuala Lumpur to completion amidst the multiple lockdowns caused by the pandemic. The company has implemented a smart system for on-site management so that its workers can work efficiently during the pandemic.

The main components of the comprehensive smart system include a facial recognition system, a tower crane surveillance system, an elevator automation control for

“
The system was initiated to solve the common problems we faced during the construction operations, such as safety measures, sustainable construction, insufficiency of supervision and personnel management.
”



The facial recognition system helps in monitoring site attendance and personnel management

emergency and real-time data reporting, and a system to monitor the limits of the cantilever unloading platform to prevent overloading. Additionally, the smart system also includes the server room, entrance set up, CCTV, wiring connection, and relevant systems software.

According to Lyu En, Managing Director of CSCEM, the decision to implement the smart system was made before the onset of the pandemic. Still, it works well during the pandemic because it reduces the need for close physical contact between the workers. At the same time, it improves management efficiency.

"The system was initiated to solve the common problems we faced during the construction operations, such as safety measures, sustainable construction, insufficiency of supervision and personnel management. To overcome these issues, we need a system that can collect sufficient on-site information for further analysis and generate a

suitable logistics and safety plan that is best suited for the specific site," said Lyu En.

By adopting the smart system, CSCEM has discovered innovative ways to decrease health and safety risks in their construction project and meet the ever-evolving anti-pandemic SOPs.

For instance, the facial recognition system helps to keep a close eye on the worksite for added safety and security. The system comes with a built-in facial recognition and a body temperature screening system to ensure workers are fit for work. At the same time, its site attendance module records the workers' attendance. It enforces SOP compliance through effective site attendance and personnel management by ensuring the optimum and SOP-compliant number of workers, who are not Covid-19 positive, are on-site at any one time. "This not only ensures the health and safety of the site workers but also maintains an operational construction site by limiting the risk

of closure due to positive Covid-19 cases," Lyu En stated.

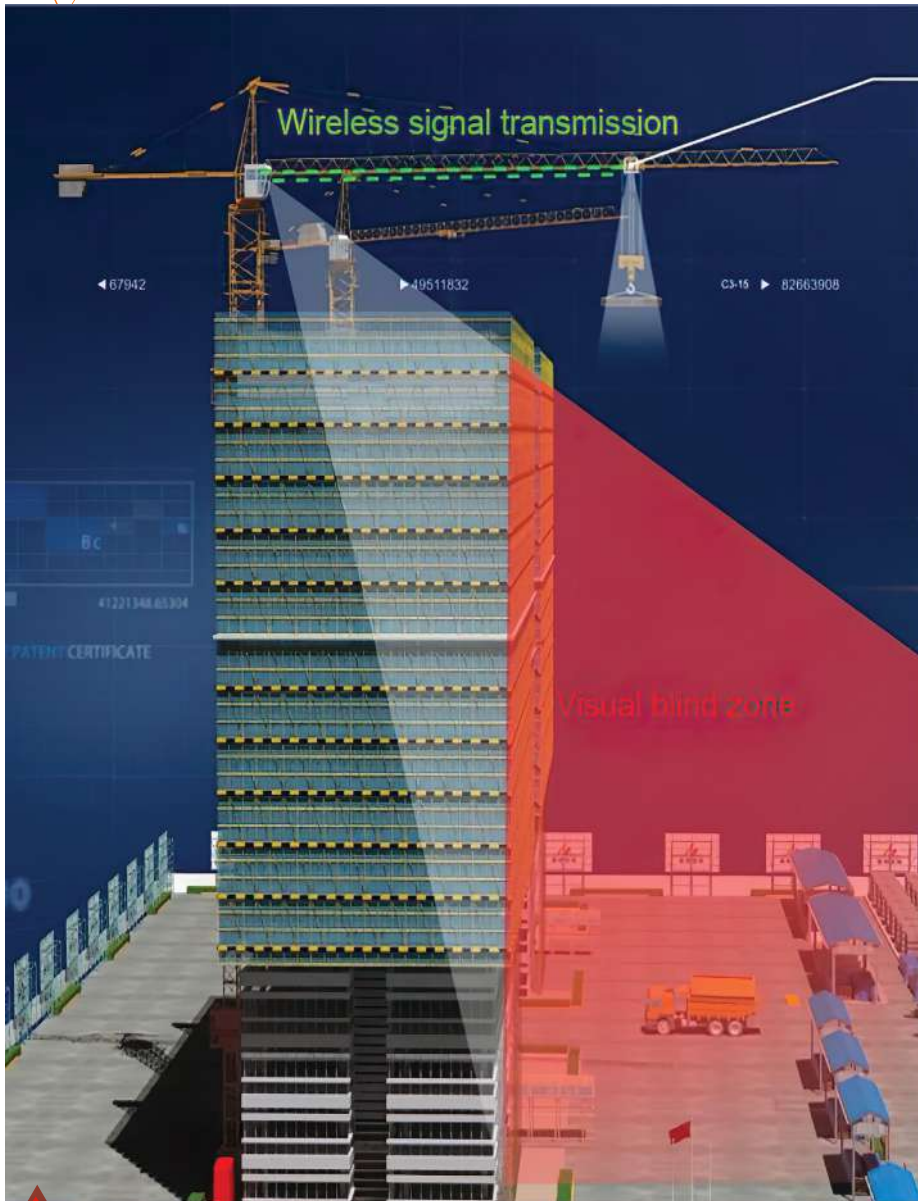
To Lyu En, the tower crane surveillance system has the biggest impact on worksite health and safety. "It helps to monitor the limitations of the tower crane, such as over-lifting, swing coverage, informative storage, increases the visibility of the operator and consequently, eliminates a lot of risks."

CSCEM also designed a feasible formwork and safety concept tailored to the tight construction timetable and the client's stringent safety standards. These can be seen in the aluminium formwork for swimming pools and floor slabs, the shear wall panel system for the RC Wall, the self-climbing system lift core wall formwork, and the building boundary protection screens.

Pandemic Safety Measures

Among the measures implemented on the construction site to minimise the risk of infection are temperature

“
It helps to monitor the limitations of the tower crane, such as over-lifting, swing coverage, informative storage, increases the visibility of the operator and consequently, eliminates a lot of risks.
”



The tower crane surveillance system has the most significant impact on worksite health and safety

monitoring, regular sanitisation and disinfection of the worksite and workers' quarters, MySejahtera check-ins at the main entrance and the site office, and physical distancing on-site and at the office.

"We also provide buses to transport workers from their quarters to the worksite and swab test our workers and office staff regularly in accordance with the SOP," said Lyu En. Virtual meetings are also encouraged as much as possible.

He is pleased to report that they have so far passed all site inspections by CIDB, DBKL, KKM, JKPP, MITI, and the police with flying colours.

By the end of August 2021, all 351 of their staff were fully vaccinated, thanks to the Construction Industry Vaccination (CIVac) programme.

"Overall, the CIVac programme is greatly beneficial to all our workers since it helped us achieve a full vaccination status at the peak of the outbreak resulting in a safer working environment," said Lyu En. He

“

The CIVac programme is greatly beneficial to all our workers since it helped us achieve a full vaccination status at the peak of the outbreak resulting in a safer working environment.

”

commended the entire programme to be very well designed and set up, and the supporting staff who were on-ground were very polite and well organised. While he is grateful to CIDB for making this happen, he mentioned a minor inconvenience during the online registration. "Occasionally, it took a very long time to complete an application due to the unstable internet connection," he explained.

Costs of the Pandemic

The numerous lockdowns have caused delays for the construction industry, and CSCM is no exception. "The Imperial Lexis Kuala Lumpur project has been delayed as a result of the numerous lockdowns. According to our calculations, the entire cost of the new SOP measures and total lockdown is about RM3,148,500.00 as of the end of August 2021. The sector is experiencing a shortage of skilled personnel, which has hampered progress. Additionally, some suppliers have increased material



Dedicated buses are used to transport workers from their quarters to the worksite



The CIVac programme has helped the company achieve full vaccination status at the peak of the pandemic

prices drastically without warning, resulting in higher construction costs," Lyu En lamented.

"For pandemic mitigation measures, we spent approximately RM969,000.00 for anti-pandemic related supplies, such as masks, alcoholic sanitisers, hand sanitisers, medicines, swab tests, separate isolation rooms, daily disinfection of worksites and workers' quarters, bus transportation fees, among others,"

he shared. The highest cost, he divulged, was the cost of workers staying at home during the lockdowns. "The construction industry is a very hands-on one where the majority of our work has to be done on-site and not from home. Every day that we are not at work on-site costs us tens of thousands of ringgit."

That said, the safety and health of their workers remain the priority, Lyu En said assuringly. As such, he is

“
By providing a working environment that is safe and hazard-free, my workers will be able to function with high efficiency and productivity.
”

adamant that the expenditure on safety measures should not be reduced in any way. "By providing a working environment that is safe and hazard-free, my workers will be able to function with high efficiency and productivity," he said wisely.



CSCEM has invested close to RM1 million in anti-pandemic related supplies including hand sanitisers

"Prevention is always better than cure. While some contractors may think they are saving money by skimping on safety costs, they are actually putting the business at risk for bigger losses in the long run. I would rather invest my money to eliminate the risk altogether!"

Lyu En opined that there is one additional and effective way the government could help ease the burden for main contractors. "The materials prices have risen rapidly during the pandemic period, which has had a significant impact on the main contractors. Unfortunately, according to the contract, principal contractors cannot claim any additional costs incurred due to

market frustration. As such, we strongly suggest that the relevant authorities initiate some policies to help the main contractors ride through these tough times."

No One is Safe Until Everyone is Safe

When it comes to safety, every single worker plays an important role. CSCEM ensures that the message is conveyed effectively from the top management to the workers on-site via a safety policy developed by the company's senior management and the safety department. "Each project site will have a safety execution committee to execute the company's safety

plan. These include safety induction for all employees, toolbox meetings to raise safety awareness, an awards system for workers who serve as positive role models for safety, among others," explained Lyu En.

As Managing Director, Lyu En is responsible for establishing procedures to prevent the spread of Covid-19 and is constantly reviewing and updating the requirements that are mandated by the authorities. "With the support of my safety team, I oversee and manage the safety measures for pandemic prevention such as education and training, PPE supply, sanitisation procedures, Covid-19 SOP management, enforcing specific company requirements and



By providing a working environment that is safe and hazard-free, CSCCEM is on track to complete the Imperial Lexis Kuala Lumpur development by May 2022

“

Because of the diversity of cultures and faiths, it takes time and resources to instil the importance of safety in the minds of employees.

”

liaising with the authorities," he said. These are additional responsibilities

he has acquired due to the pandemic, but he willingly takes them on for the sake of the company's survival.

"The most difficult obstacle to overcome is the education and culture of the workforce. Because of the diversity of cultures and faiths, it takes time and resources to instil the importance of safety in the minds of employees," Lyu En mused. However, getting everyone on board the safety bandwagon is not impossible, as attested by their success in garnering two International Safety Awards from the British Safety Council (BSC) in 2019 for their Maya@Likas Project and Johor Bahru Forest City Landmark Phase 1 Project.

"It begins with people caring, holding everyone accountable, and educating everyone - from managers to workers - about the importance of safety,"

Lyu En emphasised. He added that the key contributing factor is good safety management, including establishing clear roles and responsibilities and top management commitment to driving safety management. "We are also instilling safety responsibilities at all levels and creating a safe working environment by providing resources, support, education, knowledge sharing, training, and recognition to everyone involved in our organisation. There are no shortcuts."

For Lyu En, this is the sure-fire way to meet the company's contractual obligations on time, every time, without compromising on their workers' health and safety.



Imperial Lexis is slated to complete by May 2022

RED HILL GALLERY

Where the design of a human experience mirrors the adventure of finding a destination in a forest.



Aerial view of Red Hill Gallery

Red Hill Gallery, a sales gallery and office for a developer, is tucked behind a protected rubber forest on the outskirts of a tiny tropical town in Seremban.

So secluded is the spot that the first journey to identify the site's borders was an exhausting trek on foot. The project's principal architect, Ar. Lee Cherng Yih of Formzero and his team hiked across acres of abandoned oil palm plantations and on what seemed to be one of the last surviving grasslands for a dairy farm in the area. To begin with, no one knew exactly where they were because the team felt lost amid huge, undulating hills in an agricultural environment that urban housing development plans would soon replace.

As Lee studied the site, he noted an unusual landscape pattern where the palm oil trees formed a border around a cluster of rubber trees preserved during the land clearing works. This insight inspired the building design.

"At Red Hill Gallery, the design of a human experience preceded designing the actual building. It is a journey in which one discovers a forgotten place," Lee mused.

“

The design of a human experience preceded designing the actual building. It is a journey in which one discovers a forgotten place

”



Forest trail towards the gallery

Visitors are invited to navigate a meandering and raised metal platform among the trees to reach the trail leading to the gallery, located at the other end of the preserved rubber forest. Even though it's hidden behind a forest, the building always stands out due to its distinctive red facade. "However, there is no way to know for sure what it looks like. It is as if you're entering a pitch-black cave as you step onto the forest path. When visitors step into the building's gallery, it is akin to entering a vast white cave."

There are dramatic changes in space size throughout different functional areas as ceilings rise and fall over the heads and as walls fold in and out at various locations, framing fragmented views of the outside at varying angles, from one end of the building to another the other. The centre of the project office is a green courtyard, where all the office functions are diverted towards the courtyard.

The ceiling height in the office ranges from 1.5 to 6m which creates a dynamic experience for different uses. In the workplace space, a winding zig-zag hallway leads to a central courtyard area, which is meant to simulate the sensation of wandering through a forest searching for a destination.

Only when one leaves the site from the south would the building be fully revealed with the gorgeous forest as the backdrop. The building resembles compressed, undulating hills that slant down to the earth, losing all sense of scale in the process.

This was precisely what Lee had in mind when designing the iconic building. "The key idea is not to reveal too much of the building when the visitor arrives at the site. On the contrary, we want the visitor to slowly discover the building by wandering in the rubber tree forest."

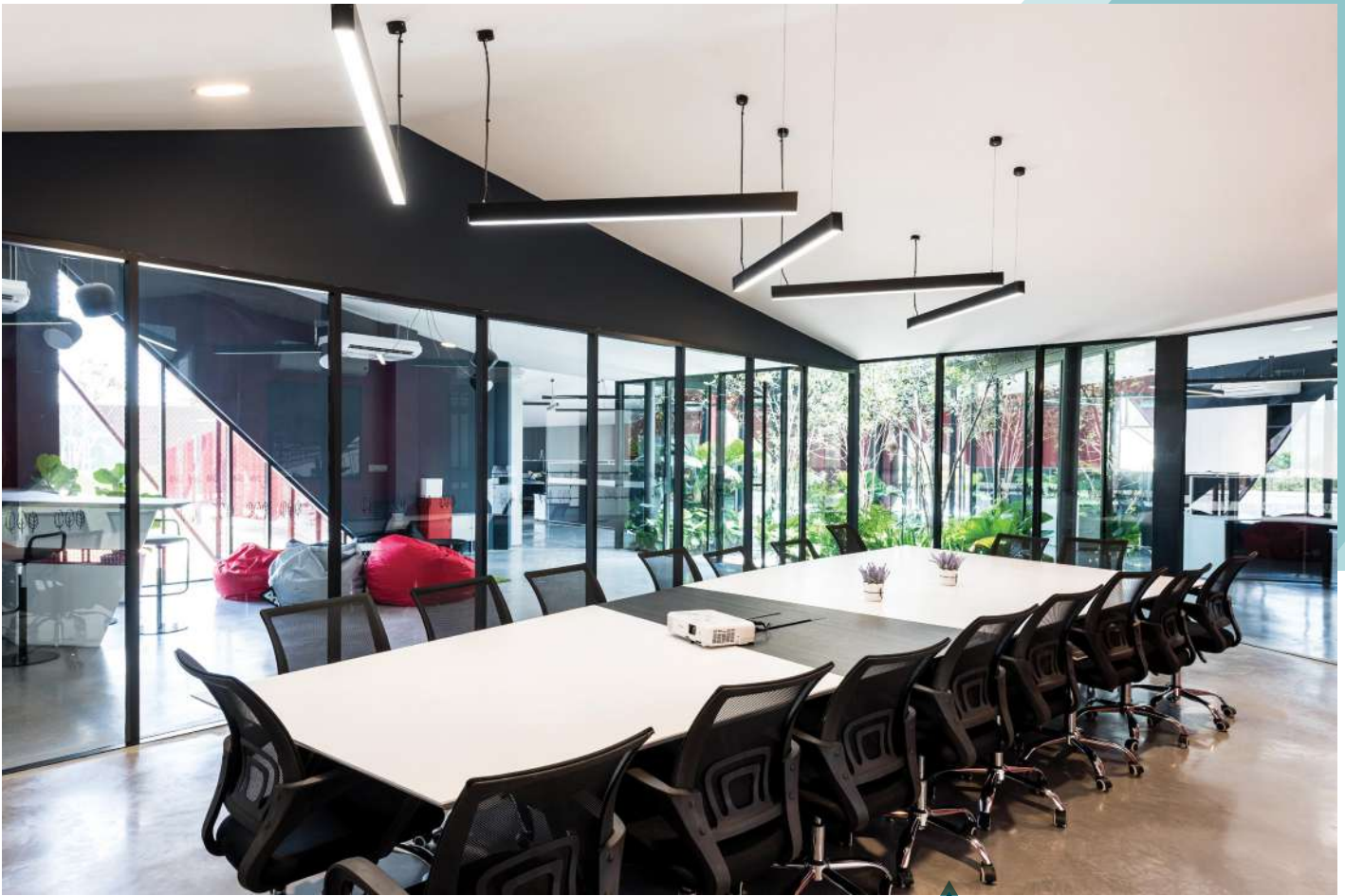


West entrance



Gallery corridor that resembles a vast white cave





Office with internal courtyard



The internal courtyard

“

The key idea is not to reveal too much of the building when the visitor arrives at the site. On the contrary, we want the visitor to slowly discover the building by wandering in the rubber tree forest.”

”

Night view from the south plaza



Sustainable Design

"The facade screen is made of expanded mesh, which allows us to control the direction of sun shading. More than just a dynamic facade, the metal screen pattern is designed with the sun shading direction in mind," Lee explained. "The openings are angled toward the landscape, and the screen louvre is open towards south-east or northeast."

The main challenge was convincing the client to relocate the building to preserve the rubber tree forest. "We made the forest as the key feature and demonstrated that the forest walk provided an experience unlike any other gallery in Malaysia," said Lee. Another challenge was communicating the complex building form requirements to the contractor. Formzero overcame the challenge by creating highly detailed 3D designs so that the contractor could comprehend the complicated building shape.

Overall, Lee was satisfied with the

results, which met the client's requirements while protecting the rubber tree forest. "The Red Hill Gallery project is a testament that an iconic building can make a statement by co-existing with nature to provide a memorable human experience," he emphasised.

“
We made the forest as the key feature and demonstrated that the forest walk provided an experience unlike any other gallery in Malaysia
”

PROJECT DETAILS:

Design Commencement:

July 2016

Construction Commencement:

January 2017

Completion: **January 2018**

Land area: **20,000m² (5 Acres)**

Built Area: **1,160m²**

Architect: **MOA Architects + Formzero**

Lead architect / Chief designer: **Lee Cherng Yih**

Structure engineer:

Perunding LNL

M&E engineer: **YF Perunding**

Interior design: **Luna Solutions**

Landscape architect: **Formzero + HODA Design**

Quantity surveyor: **Jurukur Bahan FPS**

Contractor: **PJD Construction**

Photo credits: Ronson Lee from Twins Photography



Bila pemilik rumah bijak memilih kontraktor, pengalaman mengubahsui dan membina rumah akan menjadi mudah dan terurus.

BIJAK PILIH KONTRAKTOR, ELAK IMPIAN UBAH SUAI RUMAH MUSNAH SEPARUH JALAN

CIDB menyarankan pemilik rumah agar menggunakan khidmat kontraktor yang berwibawa dalam kerja mengubahsui rumah bagi mengelak pelbagai masalah.

Kita sering dengar keluhan pemilik rumah yang ditipu oleh kontraktor. Kontraktor lari apabila bayaran telah dibuat, tetapi kerja ubah suai ditinggalkan separuh jalan. Inilah antara cabaran yang dihadapi pemilik rumah apabila berurusan dengan kontraktor yang tidak bertanggungjawab.

Lembaga Pembangunan Industri Pembinaan Malaysia (CIDB) kerap menerima aduan sedemikian sehingga mereka terpaksa mengambil pelbagai langkah untuk mengatasi dan menyelamatkan pemilik rumah

daripada berdepan dengan kesan yang lebih buruk.

Sebagai sebuah agensi kerajaan yang ditubuhkan di bawah Kementerian Kerja Raya Malaysia menerusi Akta Lembaga Pembangunan Industri Pembinaan 1994 (Akta 520), CIDB bertanggungjawab dalam memantau, memaju dan menguatkuasa keseluruhan sektor industri binaan dan ini termasuk memberi perhatian kepada masalah yang dihadapi pengguna industri pembinaan termasuk pemilik rumah kediaman.



la adalah penting untuk membuat perbincangan terperinci dengan pihak kontraktor untuk mencari jalan penyelesaian yang dipersetujui secara bersama

Kebanyakan masalah berhubung pengubahsuaian rumah yang berlaku adalah masalah pelanggaran kontrak atau perjanjian antara kontraktor dan pemilik rumah. Rekod CIDB menunjukkan setiap tahun, lebih dari 500 kes aduan pemilik rumah yang menghadapi pelbagai masalah dengan kontraktor dilaporkan kepada CIDB. Ini termasuk masalah seperti tidak menyiapkan kerja mengikut tempoh yang ditetapkan, pembinaan tidak mengikut spesifikasi, kontraktor tidak berdaftar, aduan kontraktor atau pemaju melarikan diri dan kerosakan dalam tempoh jaminan.

Bagi mendapatkan ganti rugi daripada kontraktor yang dilantik, pemilik rumah boleh membuat aduan ke Tribunal Tuntutan Pengguna Malaysia (TTPM) (jika anggaran nilai kerugian dialami di bawah RM50,000) di bawah Kementerian Perdagangan Dalam Negeri dan Hal Ehwal Pengguna (KPDNHEP).

Memilih kontraktor

Bagi pemilik rumah yang merancang mengubah suai kediaman, perkara pertama yang perlu dititikberatkan ialah mendapatkan kebenaran pihak

berkuasa tempatan (PBT) untuk kerja-kerja ubahsui tersebut. Bagi kerja-kerja ubah suai yang berskala besar, pemilik rumah perlu menghantar pelan ubahsui daripada arkitek yang bertauliah kepada PBT untuk kelulusan. Setelah mendapat kelulusan, pemilik rumah boleh mendapatkan kontraktor untuk memberi sebutharga untuk melaksana kerja-kerja ubah suai mengikut pelan yang diluluskan.

Pemilik rumah perlu melantik kontraktor yang telah berdaftar dengan CIDB. Pencarian nama kontraktor yang berdaftar boleh dibuat melalui laman web CIDB (www.cidb.gov.my). Bagi memastikan kualiti kerja kontraktor adalah memuaskan, pemilik rumah boleh juga meminta rujukan daripada jiran, rakan-rakan atau ahli keluarga yang pernah menggunakan khidmat kontraktor dan berpuas hati dengan hasil kerja mereka. Jika mempunyai pilihan untuk melihat hasil kerja terdahulu kontraktor sebagai rujukan, gunakan peluang tersebut untuk menilai dan memeriksa dengan pelanggan mereka yang terdahulu. Selain itu, pemilik rumah juga dinasihatkan membuat pencarian di dalam internet dan membaca review mengenai kontraktor tersebut dan testimoni daripada pelanggan.

Pemilik rumah juga dinasihatkan supaya mendapatkan sebutharga terperinci untuk kerja-kerja pembinaan tersebut daripada beberapa kontraktor, dan memilih kontraktor yang terbaik setelah membuat perbandingan harga. Sebut harga tersebut perlu menjelaskan secara terperinci harga upah, harga bahan binaan dan kuantiti yang diperlukan.



Pemilik rumah yang menggunakan khidmat kontraktor yang berwibawa dalam kerja mengubahsui rumah akan mengelak pelbagai masalah.

Pemilik rumah juga dinasihatkan supaya membuat pemeriksaan latar belakang kontraktor termasuk pendaftaran syarikatnya di Suruhanjaya Syarikat Malaysia (SSM). Ia penting bagi mengelak kontraktor yang telah disenarai hitam menggunakan nama syarikat lain untuk melakukan kerja. Sekiranya nama pengarah di dalam pendaftaran perniagaan dan nama pada Perakuan Pendaftaran Syarikat berbeza, ini boleh mengundang syak.

Kontraktor/Pekerja Asing

Pemilik rumah juga dinasihatkan untuk tidak menggunakan khidmat pekerja imigran atau asing sebagai kontraktor. Ini kerana pekerja asing tidak mempunyai dokumen sah untuk menjalankan perniagaan atau tidak berdaftar dengan CIDB sebagai kontraktor yang sah. Walaupun pekerja asing sering kali dilihat sebagai pilihan yang menarik kerana mengenakan bayaran yang jauh lebih murah, tetapi mereka adalah golongan berisiko paling tinggi untuk melarikan diri dan tidak menyiapkan kerja seperti yang diminta. Malah, dalam kebanyakan situasi, pekerja asing yang diupah pemilik rumah tidak dapat dikesan kerana mereka bukan kontraktor berdaftar dengan CIDB mahupun SSM.

Sebaliknya, pemilik rumah perlu melantik kontraktor yang sah, kerana kontraktor mempunyai tanggungjawab untuk memastikan pekerja asing yang digunakan untuk kerja-kerja pembinaan mempunyai dokumen yang sah dan juga memastikan kebajikan pekerja mereka dijaga.

Perjanjian antara pemilik rumah dan kontraktor

Di dalam kebanyakan kes, aduan pemilik rumah terhadap kontraktor menemui jalan buntu apabila kedua-dua pihak tidak mempunyai perjanjian atau persetujuan sebelum kerja-kerja



Pemilik rumah perlu mengutamakan kontraktor yang telah berdaftar dengan CIDB untuk memastikan kedua-dua pihak terlindung khususnya pemilik rumah jika berlaku masalah atau konflik kelak


“Walaupun pekerja asing sering kali dilihat sebagai pilihan yang menarik kerana mengenakan bayaran yang jauh lebih murah, tetapi mereka adalah golongan berisiko paling tinggi untuk melarikan diri dan tidak menyiapkan kerja seperti yang diminta.**”**

pembinaan dimulakan. Banyak urusan ubah suai rumah didapati dilakukan tanpa sebarang perjanjian dan ia berakhir dengan pelbagai masalah.

Apabila melantik kontraktor, pemilik rumah perlu memastikan semua perkara melibatkan harga dan proses bayaran, kualiti bahan binaan, tempoh kerja dianggarkan siap dan keterangan lain perlu dimasukkan selain klausa tertentu yang boleh melindungi pemilik rumah. Kesemua maklumat tersebut perlu dipersetujui kedua-dua belah pihak dan dimasukkan di dalam satu perjanjian. Perjanjian tersebut juga perlu menyebut kaedah pembayaran yang dipersetujui. Perjanjian yang dibuat boleh digunakan di mahkamah jika pemilik rumah ingin membuat sebarang tuntutan kepada kontraktor jika kontraktor melanggar perjanjian yang dimeterai.

Pemilik rumah perlu mengelak sama sekali dari membuat bayaran penuh kepada kontraktor atas dasar percaya atau perhubungan. Sebaliknya, perkara berkaitan



 Klausu seperti Liquidated Ascertained Damages (LAD) boleh mengelakkan daripada kelewatan atau sikap tidak endah kontraktor.

“
Di dalam kebanyakan kes, aduan pemilik rumah terhadap kontraktor menemui jalan buntu apabila kedua-dua pihak tidak mempunyai perjanjian atau persetujuan sebelum kerja-kerja pembinaan dimulakan.
”

pembayaran mesti dimasukkan dalam perjanjian dan sebaiknya dilakukan dengan nasihat daripada mana-mana pengamal undang-undang khususnya bagi klausu yang membabitkan fi dan upah.

Pembayaran kepada kontraktor harus dibuat secara berperingkat (mengikut peratusan siap kerja) bagi mengelakkan kerja yang dilakukan tidak setimpal dengan bayaran yang telah dijelaskan. Pemilik rumah juga perlu mengasingkan lima (5) hingga 10 peratus dari nilai kontrak sebagai 'retention money' (wang tertahan) yang dibayar selepas kerja disiapkan sepenuhnya dan pemilik berpuas hati dengan kualiti hasil kerja kontraktor tersebut.

Kedua-dua pihak juga perlu meletakkan klausu Liquidated Ascertained Damages (LAD) iaitu denda yang dikenakan jika projek lambat siap. Denda tersebut boleh diterjemah dalam bentuk peratus nilai projek contohnya, 0.01% bagi satu hari lewat ataupun dalam bentuk nilai RM100 untuk lewat satu hari. Nilai denda tersebut boleh ditolak dari bayaran seterusnya. Klausu seperti ini boleh mengelakkan daripada kelewatan atau sikap tidak endah kontraktor sekali gus berpihak kepada pemilik rumah.


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Pemilik rumah juga perlu mengasingkan lima (5) hingga 10 peratus dari nilai kontrak sebagai 'retention money' (wang tertahan) yang dibayar selepas kerja disiapkan sepenuhnya dan pemilik berpuas hati dengan kualiti hasil kerja kontraktor tersebut.
”

Pemantauan Projek

Setelah projek ubahsuai bermula, pemilik rumah perlu memantau perkembangan kerja yang dijalankan dan memeriksa kualiti kerja dari masa ke masa. Ini membolehkan kontraktor memperbaiki kerja jika pemilik rumah rasa kurang senang dengan kualiti kerja.

Bagi kontraktor yang menggunakan khidmat sub-kontraktor atau mengupah pekerja, pemilik rumah juga ada hak menegur kontraktor sekiranya upah pekerja tidak dibayar mengikut masa yang ditetapkan. Sekiranya upah pekerja tidak dibayar, pekerja boleh lari meninggalkan kerja dan menyebabkan projek tersebut tergendala.



 Jika kontraktor utama tidak membuat bayaran, ia boleh mengundang kepada masalah besar di mana pekerja boleh meninggalkan kerja, atau menghentikan perkhidmatan mereka

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Bagi kontraktor yang menggunakan khidmat sub-kontraktor atau mengupah pekerja, pemilik rumah juga ada hak menegur kontraktor sekiranya upah pekerja tidak dibayar mengikut masa yang ditetapkan.

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Sebaik sahaja projek ubah suai rumah selesai, pastikan kontraktor membuat proses penyerahan secara bersama dan teratur mengikut spesifikasi kerja yang dipersetujui kedua-dua pihak. Pemilik rumah harus menguji setiap sistem paip dan saliran dengan membuka setiap paip untuk pastikan air mengalir tanpa sebarang kebocoran atau sekatan saliran. Sistem elektrik juga harus diperiksa dengan menguji poin dan suis lampu serta peralatan-peralatan elektrik yang dibekalkannya seperti pemanas air, lampu, kipas, loceng pintu dan sebagainya. Periksa pemasangan kabinet dan perkakasan lain. Sekiranya, terdapat apa-apa masalah dengan kerja yang disiapkan, pemilik rumah harus melaporkan segera kepada kontraktor supaya ia boleh dibaiki.

Sekiranya ada masalah

Kejadian yang tidak diingini boleh berlaku atas sebab-sebab tertentu.

Jika terdapat pertikaian di antara kontraktor dan pemilik rumah dan isu tidak dapat diselesaikan, pemilik rumah disarankan untuk terus membuat aduan melalui Tribunal Tuntutan Pengguna Malaysia (TTPM) di pautan <https://tppm.kpdnhep.gov.my./login>

Bagi isu kontraktor yang menjalankan kerja pembinaan tetapi tidak berdaftar, pemilik rumah diminta menyediakan dokumen lengkap perjanjian bersama bukti bayaran kepada kontraktor tidak berdaftar untuk dikemukakan menerusi aduan di borang maklumbalas pelanggan CIDB, sistem e-Bantuan di pautan <https://www.cidb.gov.my/en/e-bantuan> untuk tindakan dan siasatan pihak CIDB selanjutnya di bawah Akta Lembaga Pembangunan Industri Pembinaan Malaysia 1994 (Akta 520).

BETTER BY DESIGN

Datuk Ar. Ezumi Harzani shares his unending passion for inspiring the world around him, one building at a time.



Datuk Ar. Ezumi Harzani bin Ismail believes that architects play a vital role in leading communities to appreciate their nation's culture, arts and architecture.

Datuk Ar. Ezumi Harzani bin Ismail looked perfectly at ease ensconced in his Malaysian Institute of Architects (PAM) office, infused with natural light. The arresting PAM Centre was located in a tranquil part of Bangsar, just opposite the Universiti KL hostels. Ezumi's office offered a nice view of the verdant patch of greenery outside. "This building was formerly leased to The Carat Club, a jeweller," said the soft-spoken man. "We organised a design competition a few years ago and adopted the winning design by HMA & Associates." It is one of the greenest buildings in town, with exposed concrete walls surrounded by a black aluminium screen. A closer look reveals a diagonal stretch of little green sanctuaries at various levels.

"This exposed concrete pillar is part of the original structure," he said, pointing to the stark, unpainted pillars at various parts of the building that fit in nicely with the minimal, industrial-themed decor. "To me, it goes in line with what being an architect is all about. We are not proponents of demolishing the old to make way for the new; rather, architects play a vital role in leading our communities to appreciate our rich culture, arts and architecture."

His strong roots in the arts and house building led him to embark on a career as an architect. "My father was an art teacher, and my grandfather was a traditional house builder. Both of them inspired me to pursue knowledge in both arts and house building. I would say the marriage of the two inspired me to be an architect."

Ezumi graduated with a Bachelor of Architecture from Universiti Sains Malaysia in 1994 and a Master of Philosophy (Policy Studies) from Universiti Teknologi Malaysia in 2016. He joined Arkitek MAA upon graduation and is now one of the directors of the company. In the course of his long-staying career at Arkitek MAA, Ezumi has completed several hospitals, shopping malls, apartments and office buildings, including Plaza Arkadia, MyTOWN, Menara Surian, Bangsar Village 2, and the Nucleus Tower at Mutiara Damansara. The company has won various awards, including PAM Architecture Awards, CNBC Asia Pacific Property Awards, MIP Excellence in Planning Awards and BCI Asia Top 10 Architects Awards.



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We will have a better-built environment when our society understands architecture better and appreciate good buildings.

”

PAM Centre

Currently, he is the President of Pertubuhan Akitek Malaysia (PAM) and a board member of the Board of Architects Malaysia (LAM). He is also the Chairman of GreenBuildingIndex Sdn Bhd, an entity established to implement green and sustainable development rating tools. He was appointed as the Advisory Board member of Kuala Lumpur City Hall from 2015 to 2019. He is presently an active member of the Technical Working Group in Dealing with Construction Permit (TWGDCP) established under PEMUDAH. The high achiever was also the recipient of the Royal Institute of British Architects (RIBA) President's Medal in 2019.

What Being an Architect Truly Means

Ezumi is passing on the architectural baton to four of his children, who are on their way to being architects in their own right.


"I warned my children that it is not easy to be an architect. Firstly, it takes about seven years for one to qualify as a professional architect," he said.

Then there are the endless responsibilities and complications of being an architect. Architects, said Ezumi, must be creative and innovative while also being attentive to detail. "When clients come to us to design their dream building, we must also come up with innovative plans that will add value to it for years to come. Architects should also be well-versed in the complex world

of city planning and zoning laws, as well as building codes," he said. "There are also the business and financial sides of it that can be quite tough as well."

During the 1998 economic crisis, he worked on the Hospital PUSRAWI project at Jalan Tun Razak and faced some significant hurdles. Due to the financial crisis, the project owner had stipulated that they may only proceed with the project if the construction cost was reduced from RM130 million to a maximum of RM100 million. Ezumi's team was given two weeks to figure things out. This meant coming up with the detailed drawings for the whole hospital layout and services within two weeks for the project to move forward.



 Hospital PUSRAWI

Work was running dry, and they could not afford to let the project slip away. So they scaled down the project massively to meet the greatly diminished budget. The hospital tower was reduced from thirteen to nine storeys, and the eighth and ninth storeys were kept vacant and served as a space the hospital could expand in the future when the economy recovers.

"It was a massive challenge 23 years ago to address the high complexity of hospital planning and services with precise drawings in two weeks,

but we did it!" said the gutsy architect. He divulged that the client regretted the decision to scale down from the original plan a few years later when their business was booming, and they could not cope with the burgeoning demand. "The silver lining was that they still had two vacant floors to expand into, which they quickly did."

The Dizzying Speed of Technological Advancements

As Ezumi contemplates today's technological advancements, he is astounded by how far things have progressed. When he started working as a design architect at Arkitek MAA

in 1997, he was tasked with creating a 3D model for several rows of shop offices. "The computer was extremely sluggish when running the 3DS3 DOS version. But we did it even though the computer at the time was a thousand times slower than what we enjoy today at 33 MHz and only 16 MB of RAM!" As a junior architect, his sole contribution was to create the project's 3D model and rendering. The design evolved multiple times before becoming what is now known as The Curve in Mutiara Damansara.

Alas, with the advancement of technology, it is inevitable for multi-tasking to become increasingly common. Ezumi's main responsibility now is to coordinate and manage project delivery. "I used to spend more time in design work. However, I had to shift my focus towards project coordination and management to ensure client satisfaction and assign a dedicated team to focus on design. I wish I had more time to be involved in the design side of things - that's my favourite part of the job!" he sighed.

Setting a High Standard

He attributed integrity and delivery as the two key factors that set Arkitek MAA apart from the competition. "We explore all knowledge and skills that are important to our work since knowledge allows you to have a clear vision and

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An architect must be excited about his work and be resourceful to constantly deliver work that exceeds clients' expectations.

”



 The Curve at night

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I would recommend young architects to stay longer with an established firm before starting your own practice to gain sufficient knowledge.

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conduct your task with integrity. The second component is delivery; we always deliver on our promises to our clients. I have introduced the same philosophy at PAM; we conduct our work with integrity and provide our members with the best service we can."

In management and leadership, he adopts the 'coaching and authoritative' style. "When peers or subordinates need advice, I use the coaching management style to inspire people to make good decisions and judgement. Soon after, when they had gained enough confidence and expertise to make their own decisions, I would employ an authoritative leadership style to enable them to have a clear vision and goal in any work assigned to them. They are given the authority to do the tasks in their own style as long as the goals are met," said Ezumi. "As a leader, we must chart the course and set clear expectations for our subordinates to fulfil the company's goals."

Ezumi believes that architecture permeates every fabric of society and dictates many aspects of society's social and economic well-being. "Having contributed to the society, the architecture

fraternity and our building industry over the years, I am glad to have assisted in engaging the public to take a closer look at architecture. We will have a better-built environment when our society understands architecture better and appreciate good buildings. This will also give opportunities to architects to be more innovative and create better buildings."

"Nevertheless, we will continue to urge the architecture fraternity to reach out to the public and intensify our presence in all areas that require our expertise. By achieving this level of collaboration, it will help close the gap between the various roles held by architects and the perception of the general public towards architects and architectures."

Staying Agile, Connected & Always Learning

He advised young architects to work harder, gain new knowledge, and be future-focused to differentiate themselves from the rest. "An architect must be visionary and able to communicate his visions to his clients," he said. "More significantly, an architect must be excited about his work and be resourceful to constantly deliver work that exceeds clients' expectations."

His recommendation to all architects is never to stop learning. "Law, regulations, and technology change all the time, and so does the expertise required to provide architecture services. It is critical for architects to keep their understanding of architectural services up to date."



Ezumi believes that we will have a better-built environment when our society understands architecture better and appreciate good buildings.

He cited the pandemic as an example of a disruptor that makes virtual platforms more acceptable for borderless collaboration and working opportunities in the corporate world. "It removes commercial boundaries and creates a world of possibilities. If we are not agile and don't move fast enough, other players will come to our turf to usurp our position."

Architects need to adapt and change to improve their knowledge and skills by participating in various programmes and training provided by PAM or CIDB. Those who do not respond to this disruption will lose the opportunity to survive the current situation.

"Young architects should be connected with everyone in the architecture fraternity. Be a PAM member to participate in many architecture-related programmes and to get closer to others," said Ezumi. "I joined PAM to expand my knowledge and educate myself on the latest architectural trends. It has been such a pleasure to connect with like-minded and experienced people who are ready and willing to share their ideas, knowledge and insights with the

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The community and society need architects to provide sustainable and healthy built environment. That said, architects do enjoy various career options.
”

community. When you stay connected with the architecture community, your career becomes fun and engaging."

He considers himself fortunate to have received guidance from his senior partners in Arkitek MAA, who coached him on business management and corporate governance. "I would recommend young architects to stay longer with an established firm before

starting your own practice to gain sufficient knowledge," Ezumi advised.

An Architect's Career Path

Ezumi believes that the best career path for an architect is to remain an architect. "The community and society need architects to provide sustainable and healthy built environment. That said, architects do enjoy various career options."

The Covid-19 pandemic and its ensuing challenges have been catalysts for innovations in architecture, Ezumi noted. The pandemic has accelerated digital transformation for remote work and virtual collaboration, resulting in incredible digital outcomes.

Many architects have adopted digital technologies that widen the opportunities for cross-disciplinary collaborations, building stronger teams with hybrid environments converging different skill sets beyond the conventional setup.

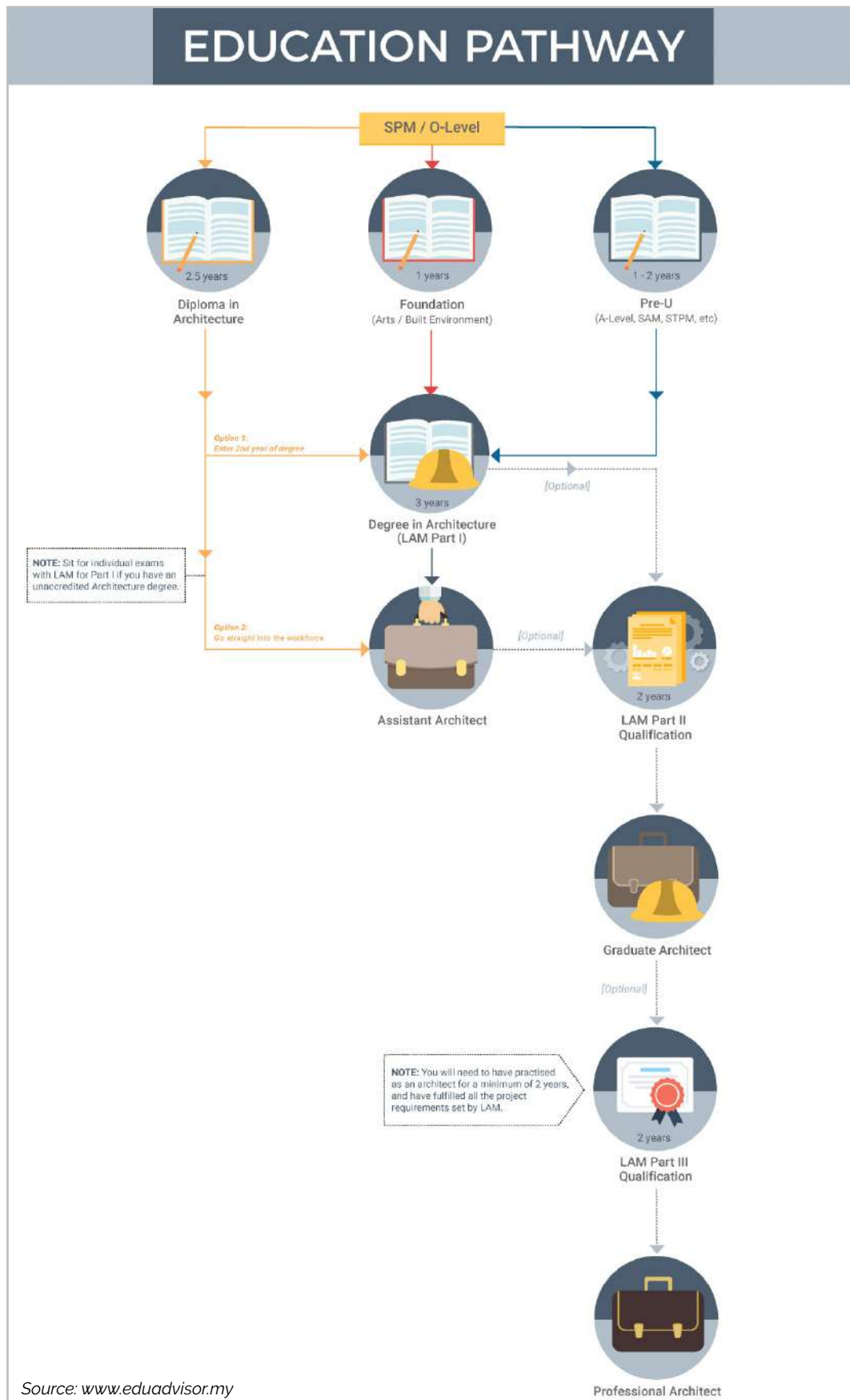
According to Ezumi, many architects have remained resilient by expanding their work base to new areas such as interior design, corporate rebranding, façade technology, sustainable consultation, IBS design, BIM coordination, CGI visualisation, product design, web design, publication editing and publishing, among other things. "In good time, some architects have even become property developers," Ezumi stated.

"I believe your work, whether you are an architect, a designer, or someone who has always been interested in the arts and architecture, has the potential to inspire and empower everyone who sees it. And this is what drives me every single day to give my best in all that I do."



As the President of PAM, Ezumi encourages architects to join the association to connect with like-minded and experienced peers.

How to be an Architect



10 KEY CHANGES TO THE AIAC ARBITRATION RULES 2018



By Janice Tay (Partner), Ooi Chih-wen (Associate) and Feisan Villana Minin (Chambering Pupil) from Wong & Partners

Here's a rundown of the top ten changes to be aware of.

The Asian International Arbitration Centre (AIAC) recently published its Arbitration Rules 2021 ("the 2021 Rules"). It presents a major overhaul and update to its 2018 predecessor, both in form and substance.

AIAC's legal services team began preliminary research and revisions in August 2019, with consultation with the Rules Revision Committee taking place between March and June 2021. In July 2021, the AIAC Rules were released for public consultation. The Rules went into force on 1 August 2021. The Rules took effect on 1 August 2021.

Here is a summary of 10 key changes you must know.

1. Wider Applicability (Introduction, Model Arbitration Clause and Submission Agreement, Rule 1)

The new AIAC Rules cast a broader net on applicable disputes. In the event the parties agree to refer their dispute to AIAC or arbitration following the AIAC arbitration rules, this is taken to be an arbitration to be administered by AIAC under the AIAC rules.

In addition, the 2021 Rules recognises third-funding, i.e. a financial arrangement whereby a

third party provides funds to a Party in arbitration for an agreed return. Although third-party funding is presently not recognised in Malaysian courts, the AIAC nonetheless acknowledges such arbitration financing. Should Parties finance their arbitration via third-party funding, this would not affect or preclude the Rules' adoption unless provided otherwise. The Arbitral Tribunal may enquire on the existence of third-party funding arrangements and direct Parties to disclose the existence of the same.

2. Streamlined Rules: the Incorporation of the UNCITRAL Rules and the Fast Track Rules (Revised), Emergency Arbitrators (Rules 8, 17-18)

Merging of UNCITRAL Rules

The UNCITRAL Rules is now incorporated into the 2021 Rules. Previously, the AIAC and UNCITRAL Rules were contained in Part I and Part II of the 2018 Rules. Where conflicts arose, the former prevailed. Now, however, both Rules are merged, making the 2021 Rules more comprehensive and streamlined.

Incorporation of Fast Track Rules

In addition, the Fast Track Procedure, which was previously contained in the separate Fast Track Arbitration Rules, is incorporated as Rule 8. The Procedure envisages a timeframe of 180 days within which the Final Award shall be rendered by the Tribunal from the delivery of the first procedural order in situations where the dispute is less than USD 500,000.00/RM 2,000,000.00 or where there is exceptional urgency or where parties agree and contain an opt-out procedure if this proves impracticable.

Emergency Arbitrators

Tied to Rule 16 (interim measures), Rules 17 and 18 relate to the appointment of an emergency arbitrator and the conduct of emergency arbitration proceedings. These provisions have been moved from Schedule 3 of the 2018 Rules into the main text of the 2021 Rules, and changes made to provide greater clarity in these provisions.

For example:

- Provisions relating to the conduct of emergency arbitration proceedings such as permitting the conduct of proceedings in absentia where a party fails to participate in the emergency arbitration have been included
- The emergency arbitrator is empowered to make any order or award that the arbitral tribunal itself may make.


The entire emergency arbitration process is envisaged to be completed within a 21-day period. Rule 17.1 provides that an Emergency Arbitrator Request can be submitted where urgent interim measures are sought prior to the constitution of the arbitral tribunal. If the Request is approved by the Director, the Director will appoint the emergency arbitrator within two days of receiving the Request. Thereafter, the emergency arbitrator is required to issue a first procedural order within three days of their appointment, following which an emergency award shall be delivered to the AIAC no later than 15 days thereafter.

“

Although third-party funding is presently not recognised in Malaysian courts, the AIAC nonetheless acknowledges such arbitration financing.

”



 Parties can now use summary determination to dismiss a claim, counterclaim, or defence if they are clearly without merit (legal or factual) or fall beyond the Arbitral Tribunal's jurisdiction.

3. Commencement of Arbitration and Mandatory Response (Rules 5, 6)

The commencement of arbitration now takes effect when a Notice of Arbitration is received by a Respondent (in line with the Malaysian Arbitration Act) as opposed to when the arbitration is registered with the AIAC under the 2018 Rules.

Rule 5.3 also enables parties to file a single notice of arbitration and pay a single registration fee where claims arise from multiple contracts. This is on the proviso that a consolidation request is also submitted to the AIAC at the time of registration to enable the Director to consider whether or not the multi-contract arbitrations should be consolidated at the outset as a single dispute.

It is now mandatory for the Respondent under Rule 6.1(c) to include a brief statement describing the nature of any counterclaim or set-off it intends to raise in the proceedings in response to Notice of Arbitration.

4. Summary Determination (Rule 19)

Summary determination is now available to Parties to dismiss a claim, counterclaim or defence where they are manifest without merit (legal or factual) or where they fall outside the Arbitral Tribunal's jurisdiction. This is similar to early dismissal procedures found in other institutional rules such as LCIA, SIAC and HKIAC.

To initiate this procedure, a Summary Determination Request is to be submitted to the Arbitral Tribunal

within 30 days of filing the defence and counterclaim. The other Parties may respond to the Request within 15 days. Where the Arbitral Tribunal is satisfied that there are no further submissions regarding the Summary Determination Request, it shall then decide to allow or dismiss the Request within 45 days from the receipt of the final submission.

5. Arbitrator's Powers (Rules 13, 15, 16, 44)

The Tribunal's power is expanded to include the power to determine the applicable law in the absence of an agreement between parties. The Tribunal is also empowered to make enquiries on the existence of third-party funding arrangements, including the third-party funder's economic interest in the proceedings. In terms of language, the Tribunal may determine the

language (unless otherwise agreed) and order the translation of a document or other communication that has been submitted in a language other than the language of the arbitral proceedings.

The Tribunal also has added powers in respect of confidentiality, i.e. the Tribunal is empowered to take appropriate measures, including the issuing of an order or Award for costs or damages. In the event of any breaches of confidentiality. Previously, the 2018 Rules provided that Parties, experts, witnesses and the AIAC shall keep confidential all matters relating to the arbitral proceedings. Now the confidentiality of proceedings extends to the Director, any tribunal secretary and any witness or expert appointed by the Arbitral Tribunal. Parties must also seek the same undertaking of confidentiality from all involved in the arbitration, including any authorised representative, a witness of fact, expert or service provider.

6. Multiple Parties and Contracts- Joinder (Rule 21), Consolidation (Rule 22)

In general, Joinder relates to the addition of a party to the proceedings, whereas Consolidation refers to the merging of more than one arbitration.

Joinder

Requests for Joinder must now be made no later than the filing of the statement of defence and counterclaim. Furthermore, the 2021 Rules now permit the submission of a Joinder Request on the new ground that the participation of the Additional Party is "necessary for the efficient resolution of the dispute" and that such participation "directly affects the outcome of the arbitral proceedings".

Consolidation

Rules 22.4 and 22.6 now permit the consolidation of multi-contract disputes in a single notice of arbitration. If the Director dismisses such a multi-contract consolidation request, the Claimant would be required to serve separate notices of arbitration with respect to each dispute and file separate Registration Requests with the AIAC.

The test for approving or rejecting a Joinder Request and a Consolidation Request is one of "all relevant circumstances" (Rule 21.6) as opposed to "any relevant circumstances" (Rule 9.5 of the 2018 Rules).

7. Appointment, Challenge, Replacement Processes (Rules 9, 10, 11 and 12)

Appointment

The appointment process is now more detailed and transparent with a "List Procedure". Where the Director is requested to appoint an arbitrator, the AIAC shall provide Parties with an identical list containing at least three arbitrators from which the Parties may respond within 15 days with an indication of their preferred choice. The Director shall then appoint the arbitrator based on the returned lists and in accordance with the order of preference indicated by the Parties. If this is not possible, then the Director may exercise his discretion in appointing a suitable arbitrator. In doing so, he may seek such information from the Parties as he deems appropriate.

With respect to multi-party appointments specifically, new Rule 9.7 prescribes a separate procedure for the appointment of both even and odd-numbered arbitral tribunals whereby the multiple Claimants or Respondents are to act collectively

in nominating their share of the required number of arbitrators, failing which, the Director will constitute the entire arbitral tribunal and will exclude or release any nominated or appointed arbitrators from consideration unless otherwise agreed to by the Parties.

Rule 10.5 addresses the issue of the arbitrator's nationality. Where Parties are of different nationalities, the sole or presiding arbitrator shall not be of the same nationality as any Party unless otherwise agreed.

Challenge

The language of the challenge provision in Rule 11 has also been modified to factor in situations where a party is aware of an existing circumstance at the time of the arbitrator's appointment. That circumstance does not give rise to any apparent conflict at that point in time. However, a change in circumstances during the arbitral proceedings later gives rise to justifiable doubts.

The new challenge provision also clarifies how the Director will remunerate any challenged arbitrator who is removed from the proceedings and how that arbitrator's replacement will be appointed to carry on with the proceedings.

Replacement

Rule 12 specifies the circumstances in which the Director may replace a member of the Arbitral Tribunal. Interestingly, Rule 12.2 enables the Director to replace an arbitrator on his own initiative and after consulting the parties and the arbitral tribunal, if the prescribed circumstances exist.

Interestingly, an arbitrator may be removed where there exist "exceptional circumstances", including any violation of the AIAC

Code of Conduct for Arbitrators or the improper discharge of functions under the AIAC Arbitration Rules. Such examples (based on the Code of Conduct) could include a conflict of interest, failure to disclose facts that may give rise to doubts as to his impartiality or independence, or a breach of confidentiality during the course of proceedings.

AIAC has also provided for the remuneration of an arbitrator that is replaced and drawing the reconstituted arbitral tribunal's attention to matters relating to the subsequent conduct of the proceedings.

8. Closure and Re-opening of Arbitral Proceedings (Rule 32)

Following the delivery of final submissions and where the Arbitral Tribunal is satisfied that Parties have no further relevant and material evidence to produce or submissions to present, proceedings shall be promptly declared as closed.

Where the Arbitral Tribunal intends to issue several Final Awards with respect to the Parties in a multi-Party proceeding, the Arbitral Tribunal shall declare the closure of proceedings in respect of each Final Award issued to the various Parties.

Once closed, an arbitral proceeding may now be re-opened in "exceptional circumstances" (not defined). This may be done on the Arbitral Tribunal's own initiative or upon a Party's application and after consulting the Director. Arbitral proceedings can be re-opened at any time before the Final Award is made.

9. Technical Review explained, Possible publication of Awards (Rules 34 and 44.6)

Technical Review

This process of a review of a draft Final Award is explained in the Rules. The Director will draw the Arbitral Tribunal's attention to any perceived irregularity in the form of the draft Final Award in matters relating to procedural history, general contents and any clerical, typographical or computational errors. The Review is not one on the merits.

This process does not apply to an Emergency Award (Rule 18), an interpretation of an Award (Rule 37) and a correction of an Award (Rule 38).

Publication

Awards may now be published by the AIAC with the express written consent of the Parties, subject to the redaction of identifying information such as the Parties' names.

10 Updated and revamped definitions (Rule 2)

Lastly, various amendments have been made to revamp the definitions:

Distinctions have been made between Awards, Final Awards and Consent Awards for the technical review process.

"International arbitration" has also been amended to include arbitrations that are seated outside of Malaysia where neither party has its place of business at the seat, and a wide definition of the word "virtually" to keep in line with the global trend of virtual proceedings.

Rule 3 provides for the calculation of time limits such as the service effected by way of electronic emails and clarifies how the service or the delivery of documents is deemed to be affected where there are multiple parties or multiple addresses or modes for service on the same party.

E-signature is provided for although this is only envisaged for the Director of the AIAC or the AIAC (not the Arbitrator or representatives).

Conclusion

All in all, the 2021 Rules is a welcome update and revision to the 2018 Rules. It is more streamlined and comprehensive and is set to assist in making arbitration in the AIAC more accessible, convenient and more time and cost-efficient. It is hoped that this, in turn, would strengthen the public's confidence in arbitration as an effective dispute resolution mechanism.

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.



ENSURING BUSINESS CONTINUITY THROUGH THE NRP PHASES

Tan Sri Sufri Hj Mhd Zin elaborates on some practices that construction firms, large and small, should adopt to ensure business continuity during the National Recovery Plan (NRP) stages.



TAN SRI SUFRI HJ MHD ZIN
President, Master Builders
Association Malaysia (MBAM)

After dealing with the COVID-19 pandemic for over one year, many economic sectors, including construction, are now resuming operations under the new rules of different phases through the National Recovery Plan (NRP). While businesses are looking at regaining their work momentum, it is also crucial to manage the broader economic consequences after the Movement Control Order (MCO) period. In my humble opinion, there are few practices that construction businesses, small or big, should implement to ensure business continuity.

“ Construction companies should take advantage of incentives available to improve their usage of Industrialised Building System (IBS), Building Information Modelling (BIM) and modular construction. **”**

Review workforce and its operations mode

Many businesses in other sectors, especially those in e-commerce, are considering virtual workspace or hybrid working arrangements for their employees in the future, even after the pandemic is gone. In 2020, many businesses had no choice but to shift their operations to a fully remote model due to the pandemic. However, for the Malaysian construction industry that still depends heavily on a labour workforce with a lot of manual work, many parts or stages of work cannot be done remotely. This is something the industry should relook into.

Companies can consider maintaining split operations for teams before gradually increasing employees' presence in the office for work that could be done remotely. As for work on-site, the most important thing to implement is flexibility. While it would be great to focus on essential operations only, investing in employee morale and ensuring an adequate supply of personal protective equipment (PPE) is also crucial.

Embrace construction technologies

For some of us, as the pandemic has shifted some ways of working by moving to digital technology like mobile devices, video conferencing and cooperative working applications, it made remote working or working from home arrangement possible. However, this means that companies must be ready to invest in using construction technologies, especially in a cloud computing system that would enable teams of the same project to access the same files, thus promoting real-time collaboration.

“Project Managers and those in charge of procurement must identify key products and services, have end-to-end views of their supply chain, and look beyond their first and second-tier suppliers.”

In line with the Construction 4.0 Strategic Plan by the Government, the adoption of advanced technologies, including augmented reality (AR) and virtual reality (VR) in buildings and infrastructure projects, should be implemented to improve the operational process, besides being able to save cost and time while increasing productivity. Construction companies should take advantage of incentives available to improve their usage of Industrialised Building System (IBS), Building Information Modelling (BIM) and modular construction.

Evaluate supply chain

Project Managers and those in charge of procurement must identify key products and services, have end-to-end views of their supply chain, and look beyond their first and second-tier suppliers. By doing so, businesses could plan for their inventories and have alternative suppliers to strengthen the supply chain in times of crisis.

Prioritise safety and health of workers with continuous engagement

Employees' safety and well-being need to be taken care of at the workplace, especially workers staying in shared accommodation on site. This serves to remind construction players to continue adhering to Act 446 (Employees' Minimum Standards of Housing, Accommodations and Amenities Act 1990) in providing conducive living space for workers, even beyond the pandemic period.

Addressing employees' concerns openly, accurately and consistently is also important to keep them reassured of the company's direction and business continuity. Regular communications are needed to help employees remain engaged as they and the company navigate through the crisis.

Improve pandemic management plan

All construction companies would have a dedicated team by now to deal with the COVID-19 pandemic crisis. This team should continue to exist and improve the current plan for future crisis management preparedness. The plan should serve as a guideline in implementing protocols to limit the spread of any virus outbreak at the workplace.

“

All construction companies would have a dedicated team by now to deal with the COVID-19 pandemic crisis. This team should continue to exist and improve the current plan for future crisis management preparedness.

”


Conclusion

Most businesses are expected to face significant interruption, particularly in light of the ongoing epidemic we are still recovering from. There are also many other aspects that businesses should look into that are not discussed in this article. However, financial and operational risk management and continuing to

develop resilience in preparation for the new normal are a few of the other essential components that every firm should adopt. While we are resuming operations, the recovery process must be planned now and not later. Companies will need to re-evaluate their firm's resilience to mitigate any long-term adverse impact on the business.





 Datuk Ir. Ahmad 'Asri Abdul Hamid, Chief Executive of CIDB Malaysia (second from right) and Dato' Azhar Bin Abdul Manaf, Director General of MARA (second from left) exchanging the MoU documents in the presence of YB Dato 'Sri Haji Fadillah bin Haji Yusof, Senior Minister of Works (standing far left) and YB Dato 'Seri Mahdzir bin Khalid, Minister of Rural Development (standing far right).

MARA AND CIDB SIGN MOU TO INCREASE BUMIPUTERA CONTRACTORS' IBS CAPACITY

The initiative is hope to give Bumiputera contractors a more competitive edge in the construction market.

The Malaysian Construction Industry Development Board (CIDB) and Majlis Amanah Rakyat (MARA) Council signed a Memorandum of Understanding (MoU) on 2 November 2021, to improve the capability and sustainability of Bumiputera contractors and provide them with a competitive advantage in the construction industry.

The MoU was signed by CIDB's CEO, Datuk Ahmad 'Asri Abdul Hamid, and MARA Director General, Dato' Azhar Abdul Manaf; witnessed by the Senior Minister of Works, YB Dato 'Sri Haji Fadillah Bin Haji Yusuf, and the Minister of Rural Development, YB Dato' Seri Mahdzir Bin Khalid.

According to the terms of the MoU, CIDB will deliver a systematic and comprehensive Industrial Building Systems (IBS) development programme to help strengthen the supply chain. Meanwhile, MARA will provide entrepreneurship training, including management, finance, and marketing, as well as consulting services, business financing, and premises tailored to the demands of the industry participants. Through the IBS Vendor Development Program (VDP), CIDB and MARA will collaborate to develop and facilitate IBS entrepreneurs.

To date, a total of 187 IBS manufacturers have registered, which are active and possess an IBS Manufacturer & Product Assessment & Certification (IMPACT) certification from CIDB. Of this number, 42 companies are owned by the Bumiputeras. For capacity building and training programs, CIDB has trained a total of 6,000 personnel in IBS management and a total of 5,000 personnel in various IBS modules. In addition to IBS specialised training, CIDB conducted a Building Information Modeling (BIM) training programme in which 3,000 participants were instructed in 12 BIM training modules. Since 2016, CIDB has invested a total of RM10 million on this capacity-building initiative.

For a long time, MARA has been working hard to develop entrepreneurs in the construction business. This includes ongoing initiatives to increase the competitiveness of Bumiputera contractors via extensive and systematic technical and managerial training.

During the implementation period of the 11th Malaysia Plan (11MP), a total of 2,860 entrepreneurs/ contractors have received professional development training.

“

In cooperation with MARA, CIDB estimates that a total of eight more Bumiputera IBS vendors can be trained.

”

For the VDP, CIDB has trained two vendors—Precast Engineering Sdn Bhd and Mutual Premium Sdn Bhd. Through this programme, they now have the capacity as a manufacturer of precast concrete systems, IBS contracting and IBS installers located in Kelantan and Kuala Lumpur. In cooperation with MARA, CIDB estimates that a total of eight more Bumiputera IBS vendors can be trained.

To further support the sustainability of Bumiputera contractors, MARA has also improved business financing facilities by providing a special financing facility scheme through the Express Contract Financing Scheme (SPIKE). It is a short-term financing facility provided to Bumiputera contractors covering construction, supply, service and electricity activities. For the period 2016 to 2020, more than 11,000 entrepreneurs and contractors have received SPIKE financing benefits with a financing value of RM1.42 billion.

MARA is also looking for opportunities to ensure that graduates of MARA Educational Institutions (IPMA) as well as GIATMARA trainees in the field of



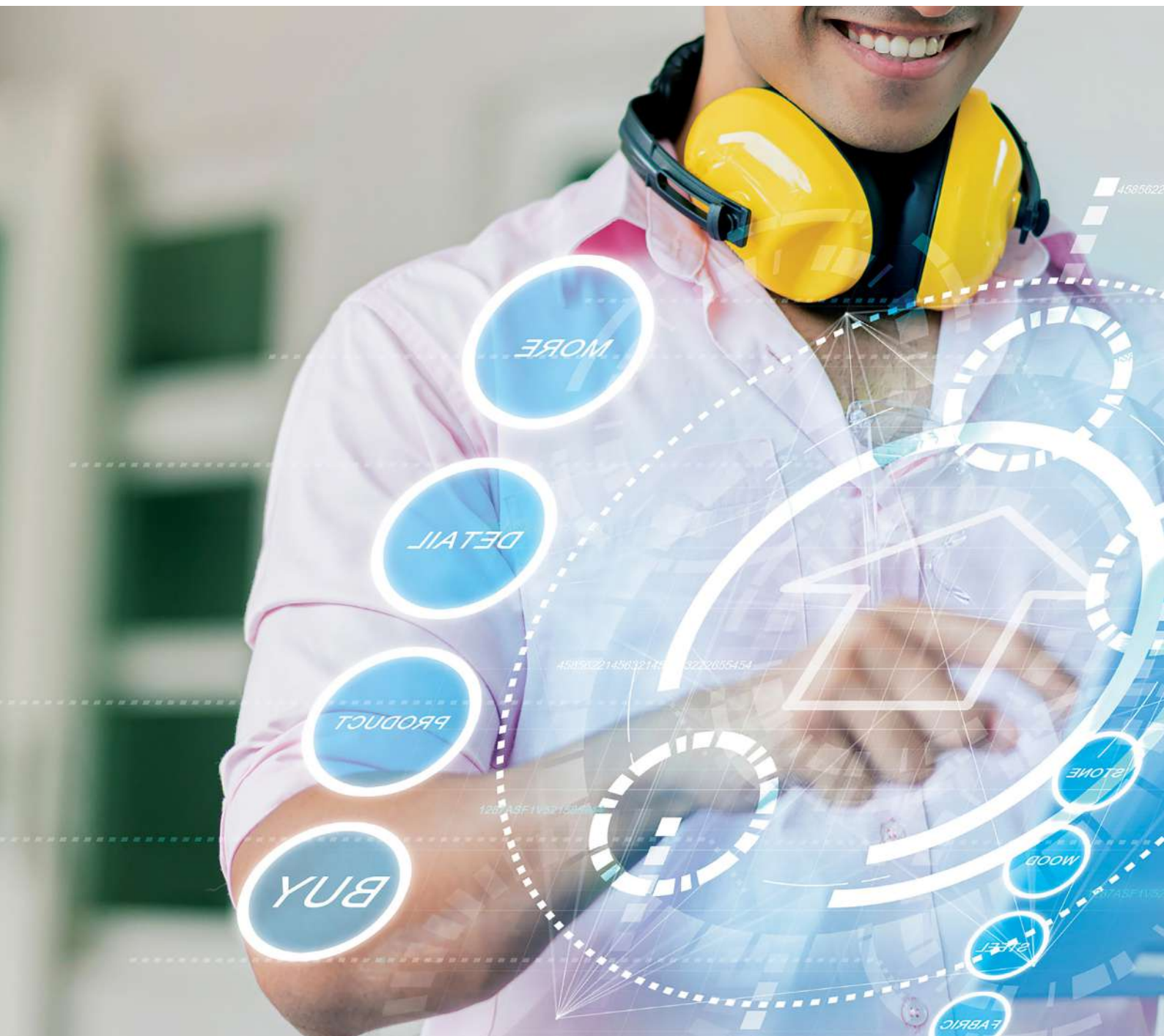
MARA's collaboration with CIDB is a good opportunity in driving the development of the construction industry in the country

architecture and building technology develop into competent human capital in the job market.

The collaboration with CIDB is a good opportunity in driving the development of the construction industry in the country. CIDB's role in regulating, developing, expanding and acting as an advisor in this industry is expected to be able to support MARA's efforts in accelerating change in the construction industry, particularly among Bumiputera contractors.


CIDB, through its subsidiary CIDB IBS Sdn Bhd also provides IBS training to entrepreneurs funded by MARA. To date, a total of 132 Bumiputera contractors and personnel have been trained. In addition, CIDB will also facilitate MARA training entrepreneurs in developing their businesses in the IBS Industrial Park planned by CIDB.

In addition to the growth of Bumiputera businesses in the field of IBS, MARA and CIDB have agreed to collaborate on other areas that will benefit both organisations' goals.



CIDB ISSUES CONSTRUCTION PRODUCTS LIST ACCORDING TO AMENDMENT OF FOURTH SCHEDULE

The list of products and building materials is updated to ensure the quality of products and building materials used in the country comply with the latest standards.



“ Under Act 520, any party found guilty of dealing with products and construction materials listed in the Fourth Schedule without CIDB certification could be fined not less than RM10,000 but not exceeding RM500,000. **”**

CIDB Malaysia has issued the CIDB (Amendment of Fourth Schedule) Order 2021 to ensure that the list of products and construction materials contained in the schedule is in accordance with the latest standards set.

The Amendment of Fourth Schedule under the CIDB Act (Act 520) was gazetted on 10 September 2021 and enforced on 13 September 2021, to update the list of products and construction materials.

A total of 22 new products were included, comprising one product in the glass category, five iron and steel products, 16 Industrialised Building System (IBS) component products and 28 additional standards.

The amendment is aimed at ensuring that every product and construction material used complies with the latest standards set to ensure public safety and health, as well as to prevent consumers from getting products and construction materials of low quality.

The enforcement by CIDB would begin in March 2022, in a move to give the industry the opportunity to be more prepared in observing the amendment and taking appropriate measures.

A circular outlining the amendment and the date of enforcement was issued to all parties, whether individuals or organisations, who deal, operate, use, manufacture, supply, market, transfer, sell or buy, whether wholesale or retail, import or export products and building materials listed in the Fourth Schedule.

Under Act 520, any party found guilty of dealing with products and construction materials listed in the Fourth Schedule without CIDB certification could be fined not less than RM10,000 but not exceeding RM500,000.

Application to obtain the Certificate of Standards Compliance (PPS) could be made through ccpm.cidb.gov.my and the CIDB (Amendment of Fourth Schedule) Order 2021 can be downloaded from the official CIDB website (www.cidb.gov.my).



**International ICW
Construction Week**

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INTERNATIONAL CONSTRUCTION WEEK 2021 & SUPER 8 MEGA EVENT

The National Construction Policy 2030 was also launched at the event to accelerate the construction industry's reinvention and recovery.

The 21st edition of the annual International Construction Week 2021 (ICW 2021) was hosted by CIDB Malaysia and co-organised with Informa Markets from 9 to 11 November 2021. The event was officially launched on 9 November 2021 by Dato' Sri Ismail Sabri bin Yaakob, the Prime Minister of Malaysia, in a virtual ceremony hosted at www.icw-aseansuper8.com.

The opening ceremony of this flagship event for the construction industry was also attended by Dato' Sri Haji Fadillah Yusof, Senior Minister of Works, Ir. Hj. Yusuf Hj. Abd. Wahab, Chairman of CIDB Malaysia and Datuk Ir. Ahmad 'Asri Abdul Hamid, Chief Executive of CIDB Malaysia.

Themed 'The Next Normal in Construction Industry', the 2021 edition of ICW and ASEAN Super 8 brought together industry professionals and representatives, including government officials, regulators, manufacturers, contractors, developers, industrial users, consultants, and industry experts for a month of virtual exhibitions, conferences, webinars, business matching sessions, and networking activities.

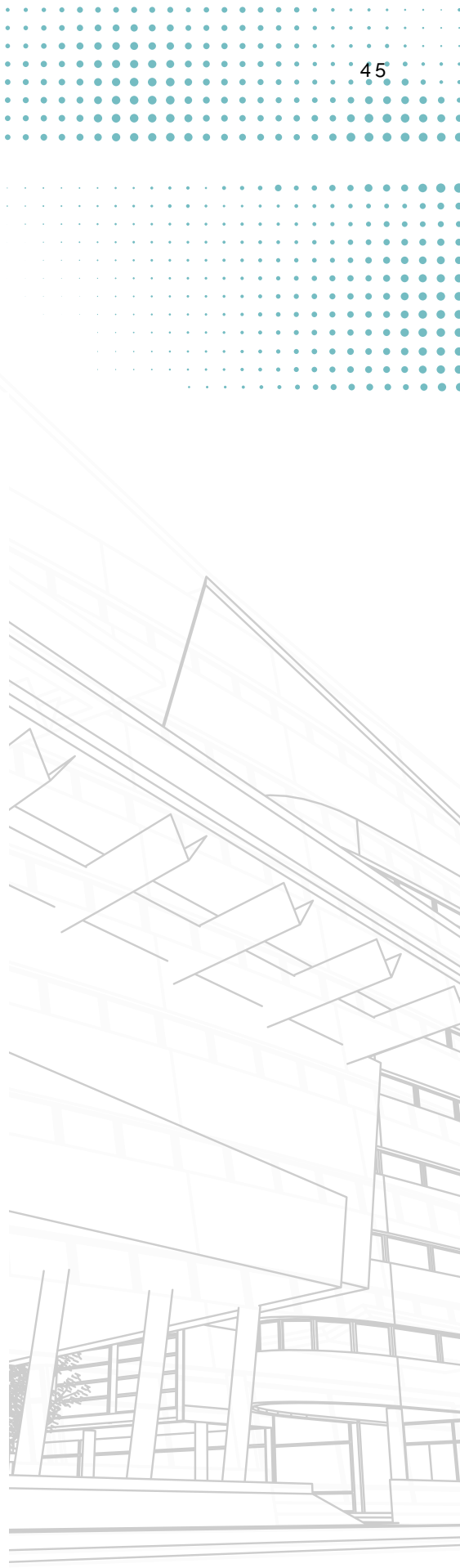
The Prime Minister also launched the National Construction Policy 2030 (NCP 2030) at the opening ceremony. Themed 'Digitalising the Construction Sector', the NCP 2030 by the Ministry of Works will guide the continued reinvention and revitalisation of the Malaysian construction industry towards becoming one that is internationally respected and competitive.

NCP 2030 establishes a roadmap for industry stakeholders to accelerate the implementation of technology and data systems and innovation and automation at all levels of operations, including before, during, and after construction. Embracing new technology and global best practices is a critical strategy for the sector's recovery. It will ensure Malaysia's construction industry is robust in the face of diverse local and international crises.

The 2021 edition of ICW and ASEAN Super 8 is in line with the vision of NCP 2030, bringing together regional and global industry movers and shakers, including Government officials, regulators, manufacturers, contractors, developers, industrial users, consultants, and industry experts, to discuss the adoption of new technologies in the construction industry.

The ASEAN Super 8 virtual mega event included niche expositions such as ASEAN M&E, ASEAN Tenaga Energy, ASEAN Lift, ASEAN Solar, ASEAN Light, REVAC Expo, Futurebuild SEA and IFSEC Southeast Asia featuring Virtual Exhibitions, Conferences, Webinars, Business Matching sessions, and Networking activities.

The International Construction Week 2021 was held virtually from 9 - 11 November 2021, providing an ideal platform for a plethora of industry players to showcase their innovations, source for suppliers, make vital contacts, keep themselves updated on the latest trends and gain new insights into the construction industry today.




WEBINAR RECAP:

BEST PRACTICES OF REGULATIONS, CIRCULAR AND GUIDELINES ON SAFETY AND HEALTH BY CIDB AND DOSH

Keeping up with the latest regulations on temporary structures and related publications of Construction Industry Standards (CIS) by CIDB.





On 12 October 2021, the Board of Engineers Malaysia (BEM) organised a webinar on the best practices of regulations, circulars and guidelines on safety and health delivered by representatives from CIDB and the Department of Occupational Safety and Health (DOSH). The webinar was divided into two sessions. The first session, conducted by Ir. Dr Mohd Fairuz bin Abdul Rahman of DOSH, focused on the Chief Inspector Special Order No. 1 Year 2020 (Special Order). The second session led by Ir. M. Ramuseren of CIDB revolved around the CIDB publications of Construction Industry Standards (CIS).

Session by DOSH: OSHA, OSHCIM and the Special Order

Mohd Fairuz briefly explained the OSHA and OSHCIM guidelines and said that the OSHCIM Guidelines would become mandatory in due time. He emphasised that with these guidelines, the onus for self-regulation is on everyone - from the client to the contractor and workers. He stated that the Special Order specifies the role and responsibilities of the manager involved in the safety

management of temporary structures, specifically scaffolding, formwork and falsework. The manager is the person appointed by the main contractor to manage the operations of any machinery or processes carried on in the place of work.

He emphasised that the statutory obligations of the manager and all the workers supersedes their employment contract. "Contracts may introduce a number of obligations, but these cannot override or discount the statutory obligations," he said. Non-compliance of any order lawfully given by an Inspector will be liable to a fine not exceeding RM 200,000 or to imprisonment for a term not exceeding five years or both. Mohd Fairuz concluded his presentation by going at length with the seven duties of the manager:

1. To appoint a sufficient number of PEPCs, designated persons (DPs), and other personnel with appropriate skills, expertise, and experience to assist the contractor in carrying out his obligations.



2. To supervise workers who have been assigned to carry out their duties.
3. To promote principles of sound and safe practice.
4. To prepare a permit to work (PTW) - A PTW is a formal procedure that authorises the use of a temporary structure and allows you to advance to the next phase of construction.
5. To allocate appropriate and adequate resources - such as time, materials, and money - to carry out the work safely.
6. To ensure that the temporary structures are safe for use. This involves checking that they were constructed according to the design and within acceptable tolerances or good practice. And to ensure the structures have not been adversely affected in any way that might jeopardise their safety, such as vehicular impact. Managers can refer to the online checklist inspection advice when doing inspection work such as working at height, prefab, scaffold, concrete work, excavation work, and lifting work -

<https://www.dosh.gov.my/index.php/ms/construction-safety-v/inspection-guidance>



Seven Duties of the Manager

7. To prepare and maintain all necessary documentation, such as design brief, safe work procedures, temporary structure register and PTW to enable efficient communication and collaboration. And to ensure that the design scopes by others, such as ground conditions, are duly recorded.

Session by CIDB: Overview of CIS Publications

Ramuseren presented the ten relevant standards developed by Technical Committee formed by CIDB and represented by the industry stakeholders.

CIS 10: 2020	Safety Health Assessment in Construction (SHASSIC)	CIS 22: 2019	Safe Use of Scaffolding in Construction
CIS 14: 2019	Guidelines on Construction Work at Night	CIS 23: 2018	Safe Use of Falsework and Formwork in Construction
CIS 15: 2019	Guidelines on Prevention of Fall	CIS 25: 2018	CARA- HIRARC
CIS 16: 2019	Guidelines for Works at Confined Space	CIS 27: 2019	OSH Specifications and BQ for Construction Works
CIS 17: 2009	Guidelines for Working at Noisy & Dusty Areas	CIS 28: 2021	Public & road User Safety: Construction Works Adjacent To & Above Roadways
These standards were developed by a Technical Committee formed by CIDB and represented by Industry Stakeholders			



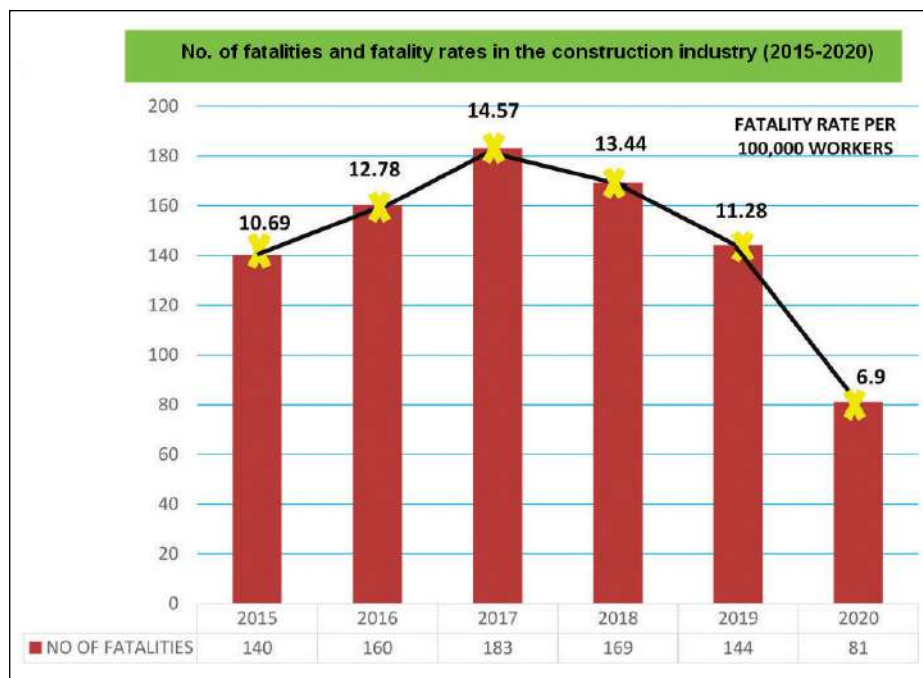
CIDB's CIS Publications

In particular, he highlighted that CIS 15:2019 Guidelines on Prevention of Fall is important when there is a risk of falls or when height is involved and that CIS 25:2018 Construction Activities Risk Assessment Hazard Identification, Risk Analysis AND Risk Control (HIRARC) is vital for sites with high-risk activities.

CIS 27:2019 OSH Specifications and BQ for Construction Works complements the OSHCIM regulations to guide quantity surveyors and infrastructure engineers to prepare the BOQ for occupational safety and health for their projects. "The CIS 27:2019 is part of the tender documentation. The BOQ is not priced by the contractor as there is a conflict of interest - they will be tempted to reduce their quotation cost to win the bid. As such, CIS 27:2019 is not meant to be used by the contractor - they are just the implementer. The client fixes the price via their quantity surveyors and engineers. They cannot cut corners on safety items as those are fixed priced items," said Ramuseren.

Ramuseren also presented the latest statistics for accidents and fatalities for the construction industry.

He then shared about SHASSIC and that it is recommended to have a SHASSIC assessment when 25% to 75% of physical work have been



Number of fatalities and fatality rates in the construction industry (2015-2020) Source: DOSH, PERKESO & JKP

completed. At this point, construction is at its peak, workers are at full strength and the risk of accidents is the highest.

SHASSIC comprises 20% document check, 60% workplace inspection and 20% employee interviews. Only scores between 50 and 100 are

eligible for a SHASSIC star ranking. A certification of participation would be given for those who score 49 and below.

The webinar concluded with the experts answering questions from the attendees.



Number of accidents in the construction sector (2015-2020)

Source: DOSH, PERKESO & JKP

CIDB Malaysia and Kelantan State Government Signs MoU for IBS Industrial Park Development



CIDB Malaysia Chief Executive Datuk Ir Ahmad 'Asri Bin Abdul Hamid (seated two from right) with Kelantan State Secretary YB Dato' Kaya Setia, Datuk Nazran Bin Muhamad (seated third from right) signing the MoU witnessed by the Senior Minister of Works YB Dato 'Sri Haji Fadillah bin Haji Yusof (Standing second from left) and the Menteri Besar of Kelantan, the Most Honorable Dato' Bentara Kanan Ustaz Dato 'Haji Ahmad bin Yakob (standing third from the left)

The development of the IBS Park will strengthen the supply chain and increase the capacity of the construction industry in the use of IBS technology

The signing of the Memorandum of Understanding (MoU) between the Kelantan state government and CIDB will see Kelantan becoming the first state in Malaysia to develop an Industrial Building System (IBS) industrial park. The IBS industrial park will serve as a one-stop reference centre to increase the capacity and capabilities of an industrial building, especially on the East Coast.

The project is being developed under the 12th Malaysia Plan (12MP) with an allocation of RM74 million. The MoU was signed by Kelantan state secretary, Datuk Nazran

Muhammad and CIDB chief executive officer Datuk Ahmad Asri Abdul Hamid, and witnessed by Senior Works Minister Datuk Seri Fadillah Yusof, Minister in the Prime Minister's Office (Economy) Datuk Seri Mustapa Mohamed and Kelantan Menteri Besar Datuk Ahmad Yakob.

The IBS industrial park is an initiative under the IBS Excellence Programme in Kelantan and will be developed on a 200-acre plot in Sungai Bagan, Machang that has been donated by the Kelantan government.

The MoU is expected to strengthen the IBS ecosystem network in Malaysia and boost the number of local industry players as well as small and medium enterprises, as well as create around 3,500 job opportunities.

MIDA and CIDB Renew Collaboration with New MoU to Promote Investments in IBS

The strategic collaboration is hoped to maximise production output, increase investments, improve quality, and practise sustainability in the manufacturing, services and construction sectors.

The Malaysian Investment Development Authority (MIDA) and CIDB recently signed a Memorandum of Understanding (MoU) to promote technology adoption and global best practices among Malaysian construction industry stakeholders in order to raise the sector's standards and competitiveness.

The MoU signed by the Chief Executive Officer (CEO) of MIDA, Dato' Arham Abdul Rahman, and the Chief Executive of CIDB, Datuk Ir. Ahmad 'Asri Abdul Hamid, will see the two parties collaborating for the next five years. It aims to strengthen the Construction 4.0 Strategic Plan, in line with the Wawasan Kemakmuran Bersama (WKB) 2030 and the National Policy on Industry 4.0 (Industry4WRD).



The MoU was signed by the Chief Executive Officer (CEO) of MIDA, Dato' Arham Abdul Rahman (left), and Datuk Ir. Ahmad 'Asri Abdul Hamid (right).

The collaboration will also enhance the areas of policy development and advocacy; research and development, training, and promotion of Industrialised Building Systems (IBS); Industrial Revolution 4.0 (IR4.0) and Construction Revolution 4.0 (CR4.0) technologies; green initiatives and building materials quality; as well as investment promotion in relevant sectors.



IJM CORP WINS RM258M CONSTRUCTION CONTRACT FOR ECRL

Construction work on the project began at the end of August, and is due to be completed in 24 months.

Diversified group IJM Corp Bhd has secured a RM258 million contract for construction works of the East Coast Rail Link (ECRL) project located in Temerloh, Pahang.

In its statement, IJM said the contract was awarded to its wholly-owned subsidiary IJM Construction Sdn. Bhd. by China Communications Construction (ECRL) Sdn. Bhd. for the construction of substructure works and partial superstructure works for the Sungai Pahang bridge, as well as T-Beam fabrication and installation of this

bridge as well as other bridges in Section 6 of the rail link.

IJM chief executive officer and managing director Liew Hau Seng said, "We are delighted to be part of this strategically important megaproject and to be working with China Communications Construction (ECRL) Sdn. Bhd. We continue to build on our 38 years of experience and expertise in delivering civil works for major and nationally significant infrastructure projects."

Construction work on the project began at the end of August, and is due to be

completed in 24 months. As at 31 March 2021, the outstanding order book of IJM's construction division stood at RM4 billion.

IJM remarked that the division secured several significant projects during the current financial year, including an RM89.8 million contract for the construction of infrastructure and public realms works at Kuala Lumpur's Tun Razak Exchange (TRX), and another RM237.8 million contract for the construction of the Mezzo residential tower in The Light City, Gelugor, Penang.

VACCINATION REPORT

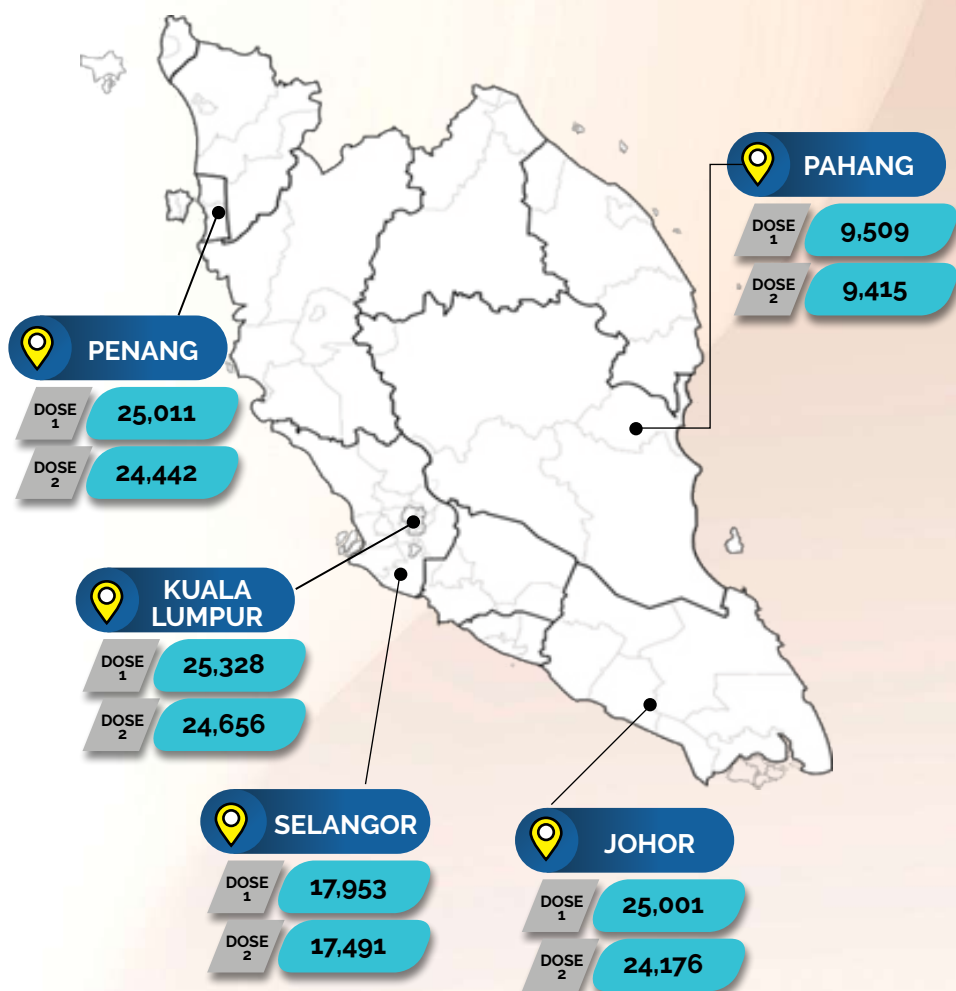
CONSTRUCTION INDUSTRY VACCINATION PROGRAMME (CIVac)

From 1 July to 28 September 2021 (Cumulative)

CUMULATIVE VACCINES ADMINISTERED

TO THE CONSTRUCTION SECTOR'S ECONOMIC FRONTLINE

From 1 July to 28 September 2021



TOTAL VACCINE ALLOCATION
(DOSE 1 + DOSE 2)

250,000

CUMULATIVE VACCINES ADMINISTERED
DOSE 1 & DOSE 2

202,982

DOSE 1 102,802

DOSE 2 100,180

81.2% OF THE TOTAL
VACCINE ALLOCATION

VACCINATION STATUS

OF THE CONSTRUCTION SECTOR'S
ECONOMIC FRONT LINE

From 1 July to 28 September 2021

NUMBER OF
VACCINATED
WORKERS

82.2%

102,802

125,000

VACCINE ALLOCATION



WORKERS
WITH
1 DOSE

82.2%

102,802

125,000

VACCINE ALLOCATION

WORKERS
WITH
2 DOSE

80.1%

100,180

125,000

VACCINE ALLOCATION

CITIZENS

DOSE
1

44,534

DOSE
2

43,451

NON-CITIZENS

DOSE
1

58,268

DOSE
2

56,729





VACCINE RECIPIENTS BREAKDOWN

OF THE CONSTRUCTION SECTOR'S
ECONOMIC FRONT LINE

From 1 July to 28 September 2021



NO.	INDUSTRY VACCINATION CENTRE (PPVIN)	VACCINE RECIPIENTS				
		LOCALS	PERCENTAGE %	FOREIGNERS %	PERCENTAGE %	TOTAL
PHASE 1						
1	CIDB CONVENTION CENTRE PPVIN, KUALA LUMPUR	8,799	44%	11,198	56%	19,997
2	KOMPLEKS SUKAN NEGARA (PANASONIC) SHAH ALAM PPVIN, SELANGOR	7,002	39%	10,951	61%	17,953
3	CIDB CONVENTION CENTRE PPVIN, KUALA LUMPUR - GAMUDA	928	24%	2,940	76%	3,868
PHASE 2						
1	CIDB GRAND HALL PPVIN, JOHOR	11,750	47%	13,251	53%	25,001
2	SUNWAY CARNIVAL CONVENTION CENTRE PPVIN, PENANG	11,505	46%	13,506	54%	25,011
3	CIDB CONVENTION CENTRE PPVIN, KUALA LUMPUR	176	12%	1,287	88%	1,463
4	GRAND DARUL MAKMUR HOTEL KUANTAN PPVIN, PAHANG	4,374	46%	5,135	54%	9,509
TOTAL		44,534	43%	58,268	57%	102,802



CUMULATIVE VACCINATIONS (BY DOSAGE)

The National COVID-19 Immunisation Programme (PICK)

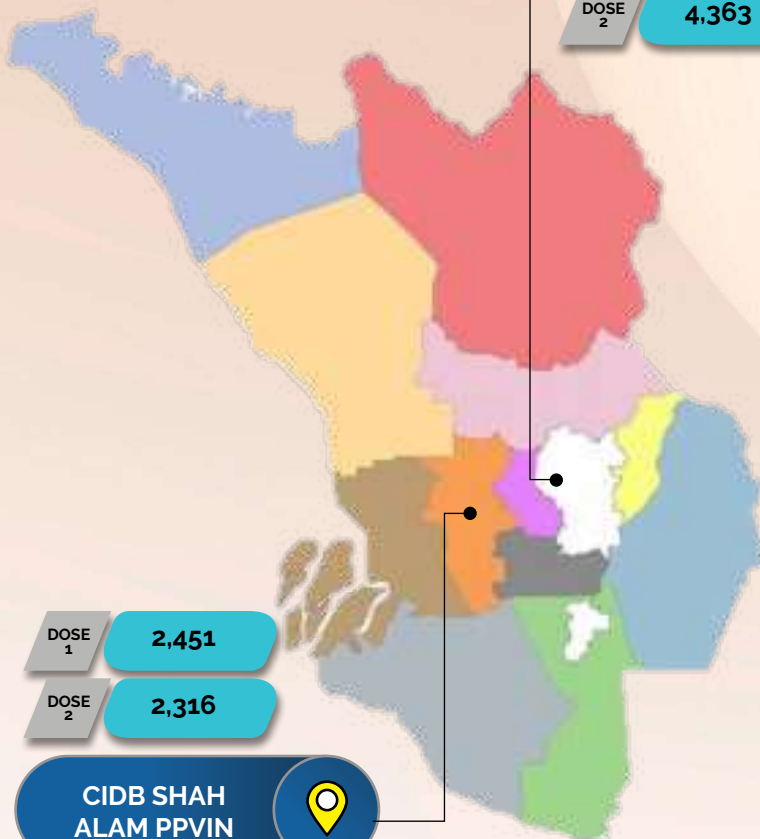
From 1 July to 28 September 2021



CIDB KUALA LUMPUR PPVIN

DOSE 1 4,569

DOSE 2 4,363



NOTE

The public vaccination programme for foreign workers was conducted to support MOSTI's 'Operation Surge Capacity' programme in Kuala Lumpur & Selangor.

TOTAL VACCINE
ALLOCATION
(DOSE 1 + DOSE 2)

27,600

CUMULATIVE VACCINES
ADMINISTERED
DOSE 1 & DOSE 2

13,699

DOSE 1 7,020

DOSE 2 6,679

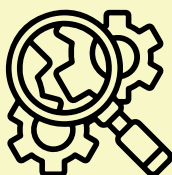
49.6% OF THE TOTAL
VACCINE ALLOCATION

CIDB ENFORCEMENT IN NUMBERS

FROM 1 JANUARY TO 30 SEPTEMBER 2021

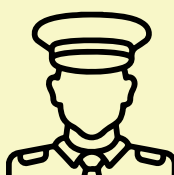
ENFORCEMENT OF ACT 520

SITE INSPECTIONS



5,274

INTEGRATED ENFORCEMENT WITH
OTHER AGENCIES (OPB)



25

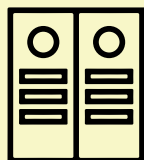
SPECIAL OPERATIONS (OPK)



90

ACTIONS TAKEN

NOTICES ISSUED



6,685

INVESTIGATION
PAPERS
OPENED



1,462

PENALTIES
ISSUED



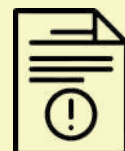
71

DISCIPLINARY
PROCEEDINGS



19

WARNINGS
ISSUED



54

CONTRACTOR
REGISTRATIONS
SUSPENDED



1

CONTRACTOR
REGISTRATIONS
CANCELLED



0

CONTRACTOR
REGISTRATIONS
RETRACTED



14

VALUE OF COMPOUNDS ISSUED



RM3,776,900.76

CONSTRUCTION SECTOR REPORT DURING MCO 3.0

1 JUNE 2021 TO 30 SEPTEMBER 2021

330 CONSTRUCTION SITE INSPECTIONS

97%

5,484

COMPLIANT

3%

177

NON-COMPLIANT


174

CONSTRUCTION SITES
CLOSED

*5,661 CONSTRUCTION SITES IN OPERATION

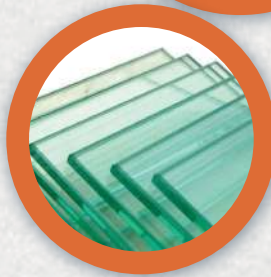
*4,724 CONSTRUCTION SITES NOT IN OPERATION

SOP THAT SHOULD BE ADHERED TO BY CONSTRUCTION SITES

- 
- 1 Companies should get MITI's approval to operate
 - 2 Local and foreign workers to be tested negative from Covid-19
 - 3 Only 40% worker capacity allowed on the construction site
 - 4 The creation of a Covid-19 construction site task force
 - 5 The movement of workers should be only from their accommodation/ CLQ and construction site
 - 6 The movement of workers in and out of the construction site and their living quarters/ CLQ should be minimised
 - 7 Workers cannot move from one construction site to another

LET **US HELP YOU**

IN GETTING YOUR
PRODUCT TESTED &
CERTIFIED NOW!



TESTING

(CONSTRUCTION PRODUCT/MATERIAL)

Recognised and accredited laboratory
ISO/IEC 17025 by Jabatan Standard Malaysia



MS ISO/IEC 17025 TESTING
SAMM NO 429



CERTIFICATION

(CONSTRUCTION PRODUCT/MATERIAL)

Recognised and accredited certification body
ISO/IEC 17065 by Jabatan Standard Malaysia



03092014 CB 07

CONTACT US

+603-5525 8974 | qas@cidbh.com.my
www.cidbholdings.com.my



SCAN FOR
MORE INFORMATION

