

**DISPUTE AVOIDANCE BY IMPROVING CONTRACT
DOCUMENTS IN ROAD CONSTRUCTION PROJECTS
IN SRI LANKA**

MSc in Construction Law and Dispute Resolution

Dissanayake Mudiyansele Sujith Rohana Dissanayake

209168U

Department of Building Economics
University of Moratuwa
Sri Lanka

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DECLARATION

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D.M.S.R. Dissanayake

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.....

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Ch.QS Vijitha Disaratna

Dissertation Supervisor

DEDICATION

To my wife and two sons,
who make everything possible
with their love and support...

ABSTRACT

Disputes on construction projects, especially on road projects, have been a nagging problem that delays projects, escalates costs, and have ruined professional relationships between the parties involved. Accordingly, this study aimed to analyse the errors in contract documents that lead to disputes, to develop a mechanism to improve the contract documents to avoid disputes in road construction projects in Sri Lanka. The study identified the leading causes of dispute, error types in contract documents, and methods of increasing document clarity and effectiveness. The aim was approached through a quantitative research methodology by adopting a quantitative survey as the data collection technique. Respondents to the survey included the professionals on Sri Lankan road construction projects, namely, contractors, consultants, and client representatives. Data obtained from the questionnaires were analyzed using descriptive statistical methods such as mean score rating and ranking. Payment, delay, and scope variations were identified as the leading causes of dispute. In addition, unclear language, insufficient specifications, and contractual document inconsistencies were recognized as leading factors contributing to misunderstandings and claims. As the strategies to improve the contract documents, scope clarity, risk management provisions, change management procedures, and clearly defined dispute resolution processes, were also identified in this study. As the final step, a usable framework and a checklist for contract document improvement on road construction projects specific to the Sri Lankan setting was developed for acquiring improved contract documents. The study identifies the necessity of structured, succinct, and transparent documents for the promotion of cooperation, accountability, and efficiency on road construction projects.

Keywords: Contract Documentation, Dispute Avoidance, Road Construction, Sri Lanka, Payment Issues, Scope Clarity, Risk Management, Construction Law, Project Delays.

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LIST OF ABBREVIATIONS

Abbreviation	Description
CIDA	Construction Industry Development Authority
FIDIC	Fédération Internationale des Ingénieurs-Conseils
GDP	Gross Domestic Product
ICTAD	Institute For Construction Training and Development
OSH	Occupational Safety and Health
RDA	Road Development Authority