



MACHAKOS UNIVERSITY

University Examination 2018/2019

SCHOOL OF ENGINEERING AND TECHNOLOGY

DEPARTMENT OF ELECTRICAL AND ELECTRONICS ENGINEERING

THIRD YEAR SECOND SEMESTER EXAMINATION FOR

DIPLOMA IN ELECTRICAL AND ELECTRONICS ENGINEERING

EED 314: ENGINEERING SERVICES CONTRACT

DATE: 6/5/2019

TIME: 8.30-10.30 AM

INSTRUCTIONS:

This paper consists of FIVE Questions. Answer Question ONE and ANY OTHER TWO questions.

QUESTION ONE (30 MARKS) (COMPULSORY)

- a) Define engineering contract. (2 marks)
- b) State essential elements of a valid contract. (6 marks)
- c) State five types of contract. (5 marks)
- d) State five essential elements of a construction contract (5 marks)
- e) State and explain contract vitiating factors (6 marks)
- f) Define Force Majeure and explain the circumstances under which it is activated. (6 marks)

QUESTION TWO (20 MARKS)

- a) Explain the doctrine of privity of contract. (2 marks)
- b) Identify four parties to construction contract. (4 marks)
- c) State and explain factors that can lead to termination of contract. (8 marks)
- d) What is the difference between discharge by frustration and discharge by breach (2 marks)
- e) State types of tort. (4 marks)

QUESTION THREE (20 MARKS)

- a) Explain Contract formulation. (2 marks)
- b) Explain nature of law of tort. (3 marks)
- c) Define warranty as provided for in contract. (2 marks)
- d) Explain the purpose of an exclusion clause in a contract. (5 marks)
- e) State and explain estimating procedures. (8 marks)

QUESTION FOUR (20 MARKS)

- a) Explain three requirements for contract formation. (6 marks)
- b) State five contract pricing methodologies (5 marks)
- c) State and explain key components of contract documents (9 marks)

QUESTION FIVE (20 MARKS)

- a) State and explain five types of contract (10 marks)
- b) State and explain features of Tort law (10 marks)