



**MASINDE MULIRO UNIVERSITY OF  
SCIENCE AND TECHNOLOGY  
(MMUST)**

**MAIN CAMPUS**

**UNIVERSITY SPECIAL/SUPPLEMENTARY EXAMINATIONS  
2019/2020 ACADEMIC YEAR**

**FIFTH YEAR SECOND SEMESTER EXAMINATIONS**

**FOR THE DEGREE  
OF  
BACHELOR OF SCIENCE IN CIVIL AND STRUCTURAL  
ENGINEERING  
BACHELOR OF SCIENCE IN MECHANICAL AND INDUSTRIAL  
ENGINEERING, AND BACHELOR OF SCIENCE IN ELECTRICAL  
AND COMMUNICATIONS ENGINEERING**

**COURSE CODE: ECC 502**

**COURSE TITLE: ETHICS, LAW AND PROFESSIONAL PRACTICE**

**DATE: FRIDAY 29<sup>TH</sup> JANUARY 2021 TIME: 8:00 – 10:00 AM**

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**INSTRUCTIONS:**

1. This question paper consists of FOUR questions.
2. Answer a total of THREE questions ONLY.
3. Answer ALL questions in Section A and any ONE question in Section B.
4. Examination duration is **2 Hour**

MMUST observes ZERO tolerance to examination cheating

This Paper Consists of 4 Printed Pages. Please Turn Over.

**SECTION A: Answer ALL questions in this section.****Question 1 (25 marks)**

Machakos County in eastern Kenya has invited bids for the construction and commissioning of a Textile export processing zone (TEPZ). Minja Developers Limited (MDL), Suui Suui Solutions(SSS) and Youth International Professionals (YIP) are among the final three top ranked bidders after technical and financial evaluation, but before due diligence report. The summary of the evaluation results as shown in Table Q1. The Bid bond and performance bonds were specified to be 2% and 5 % of the tender sum respectively.

Table Q1 Summary of Evaluation Results

Bid No.	Name of Bidder	Tender Sum (Ksh.)	Arithmetical Error (Ksh.)	Corrected Tender Sum (Ksh.)
67	Minja Developers Limited (MDL)	32,405,112.00	+1,000,000.00	32,405,112.00
39	Youth International Professionals (YIP)	40,900,200.50	-2,500,000.00	38,400,200.50
13	Suui Suui Solutions(SSS)	39,500,209.95	Nil	39,500,209.95

- (a) Name the offeror(s) and the offeree(s) in this bidding process. (2 marks)
- (b) How many bidders are likely to have participated in the bidding. (2 marks)
- (c) State the correct bid bond and performance bond for each bidder. (6 marks)
- (d) In your professional opinion as the Chairman and member of the Machakos County Tender Committee:
  - (i) Who must be awarded the tender for construction and commissioning of the Export Processing Plant? (2 marks)
  - (ii) Who among the three bidders is likely to be awarded the tender for construction and commissioning of the Textile Export Processing Plant? (2 marks)
- (e) List three factors that can render a contract null and void? (5 marks)
- (f) State the levels of dispute resolution that an engineering can use to resolve an engineering dispute. (6 marks)

**Question 2 (15 marks)**

- (a) State the difference between nominated and domestic contractor. (4 marks)
- (b) Outline how you may draft a specification. (4 marks)
- (c) List the Agenda for a site meeting. (3 marks)
- (d) How can a “Garnishee Order” be applied to a client as a third party in a dispute between a nominated sub-contractor and main contractor? (4 marks)

**SECTION B: Answer any ONE question in this section**

**Question 3 (10 marks)**

- (a) Compare and contrast interim and final accounts. (3 marks)
- (b) Tender opening and Tender closing (3 marks)
- (c) Explain the basic difference between evaluation and payment certificate. (4 marks)

**Question 4 (10 marks)**

- (a) Explain the role of EBK in regulation of engineering practice in Kenya. (5 marks)
- (b) Discuss the similarities and differences between a Curriculum Vitae and engineering professional report for a Graduate Engineer who has practiced for about 5 years since graduation. (5 marks)