

QSRBN President's Opening Remarks at the 2025 Quantity Surveyors' Annual Assembly

BEING THE TEXT OF THE OPENING REMARKS DELIVERED BY QS OBAFEMI OLUWOLE ONASHILE MPM, FRICS, FNIQS, AT THE 2025 QUANTITY SURVEYORS' ANNUAL ASSEMBLY ORGANIZED BY THE QUANTITY SURVEYORS' REGISTRATION BOARD OF NIGERIA (QSRBN) HELD AT THE WOMEN DEVELOPMENT CENTRE, ABUJA ON 14TH & 15TH MAY, 2025.

All glory and adoration to The Almighty God who has made it possible for this day to occur and for all of us here to be a part of this ceremony.

The Honorable Minister of Housing and Urban Development, Arc. Ahmed Musa Dangiwa, FNIA, FCIB

The Honorable Minister of State for Housing and Urban Development, Rt. HON. Yusuf Abdullahi Ata,

The Permanent Secretary Ministry of Housing and Urban Development, Dr. Shuaib Belgore

The President of our great Institute, The Nigeria Institute of Quantity Surveyors, QS. Kene Nzekwe, and all other members of the National Executive Committee,

The Vice President QSRBN QS. Abubakar Garba Gengle and other Distinguished Board Members, Quantity Surveyors Registration Board of Nigeria (QSRBN)

All the past Presidents of NIQS who are also past Presidents QSRBN here present, Alhaji Modibbo Kawu FNIQS (The Madaki Lapai), Alhaji Hussein Dikko FNIQS, Alhaji Murtala M. Aliyu FNIQS (The Mutawalle Gombe)

All the past Presidents of NIQS QS. Joseph Olusegun Ajanlekoko FNIQS, QS. Francis Oluwole Adetola FNIQS, QS Felix Okereke-Onyeri FNIQS, QS John Agele Alufohai FNIQS, QS Mercy Torkwase Iyortyer FNIQS, QS Mohammed Abba Tor FNIQS, and QS Olayemi Michael Shonubi FNIQS,

Fellows and corporate members of the NIQS,

Gentlemen of the Press,

Distinguished Ladies and Gentlemen,

It is a great honour and privilege for me to welcome you all to this notable event, which is the 2025 QS Annual Assembly as organized by the QSRBN in partial fulfillment of its roles and functions in setting Standards and regulating the practice of QS Profession in Nigeria.

Before I go into the purpose of this year's Assembly, allow me to specially acknowledge the privilege of having the presence of the Honorable Minister, of Housing and Urban Development with us "live" today at this event. Indeed, this is quite energizing and encouraging to us at the Board. We at the Board interpret this as measure of support from the Minister and as a measure of the Minister's appreciation of the importance of our profession to the Ministry, for these, we would therefore like to express our deep appreciation to the Honorable Minister.

We, as a profession are proud to continue to identify with and commend the initiatives and consistent performances of the Ministry of Housing and Urban Developments under the able leadership of Arc. Dangiwa FNIA, especially as it concerns the delivery of new homes in Nigeria under the "**Renewed Hope Cities and Estates**" Programme of the Ministry as well as on the soon to be embarked upon first phase of the "Renewed Hope Housing Programme" which is the proposed new 20,000 Social housing units, planned to spread across the 774 Local Government Areas of Nigeria

This Renewed Hope Housing Programme already coming fast on the heels of the earlier launched The Renewed Hope Cities and Estates programme of last year 2024, is a proof of the vast capacity and the zeal of the Honorable Minister to quickly uplift the Housing stock available to the Nigeria citizens and reduce the pronounced deficit level that hitherto exists.

Undoubtedly, these initiatives will create thousands of new jobs for the citizens including the indirect opportunities to building materials suppliers, traders, food sellers on site, drivers etc. But all these new houses and new employments

in the economy will only materialize if these projects are pursued diligently and completed promptly by the Ministry.

Two major factors that can frustrate the diligent completion and the impact on the economy are the threat of lack of funding at the required time as well as defective contracts arrangements.

In the case of lack of funding, we hope the Federal Government and the National Assembly will give more support to the Honorable Minister of Federal Ministry of Housing and Urban Development to complete these projects on schedule.

However, in the case of defective contracts arrangements, these are also avoidable missteps of project owners (both Government and private developers) that often jeopardize the outcomes of projects deliveries. Fortunately, these can be controlled, in fact eliminated if the qualified and licensed professional Quantity Surveyors are engaged on such projects.

To ensure that the professional Quantity Surveyors can sustain such abilities and even excel in these endeavors, are the reasons why the Board (QSRBN) decided that the theme for this year's Assembly should focus on CONSTRUCTION CONTRACTS.

To ensure a smooth relationship and operations of any construction activity ideally, there should be an agreement that should set out the true intentions of the parties and duties and obligations of each party as well as any other persons whose roles will be important to the successful delivery of the construction activity.

However, there is a wide spectrum of options of contract forms available to make a choice out of. There are the globally accepted Standard Forms of Construction Contracts e.g the Joint Tribunal Contracts (JCT) Standard Forms of Building Contracts, the Fédération Internationale des Ingenieurs Conseils (FIDIC), Standard Forms of Contracts, and the New Engineering Contracts (NEC) Forms of Contracts.

Each of these, being made up of a suite of different versions to apply to different shades or nature of the particular construction activity. There are also other forms in terms of bespoke or purpose made contracts contrived, based on the needs or perceptions of the project owners or even the contractors where these

are referred to as “Terms/ conditions of sales or services”. Making the right choice for any particular project is key.

There is also the issue of the need to be constantly abreast of pitfalls that have occurred in the use of a particular Standard form of contract that might have come up through some Court judgments or through the updating of Laws over the years. The use of outdated or obsolete standard form of contract may jeopardize the outcome of a project.

A survey of the construction industry by the Board (QSRBN) on the performance of construction contracts have revealed that despite having contracts on construction projects there is no guarantee that there will be a smooth and satisfactory relations on the projects. Oftentimes, a party is left with a sour taste at the end of projects deliveries, in terms of feelings of financial losses.

Attempts at addressing these losses by going into disputes as entrenched in virtually all construction contracts from accounts of experiences recorded from the Nigeria construction industry have proven ineffective and even have resulted in more losses.

The commonest dispute resolution method inserted in construction contracts is the Arbitration. There are peculiar reasons for this choice of disputes resolution in construction contracts. Some of these are:-

- i) Need for confidentiality
- ii) Need for speed of review and conclusion on dispute
- iii) To maintain cordiality of relationships of party
- iv) Resolutions to be more technically and proportionately considered in view of the commercial terms originally agreed by the parties.

Unfortunately, construction contracts arbitration practices have become bastardized and have been stripped off the above-mentioned peculiar reasons.

Arbitration proceedings to resolve construction disputes now take ages even to obtain arbitral Awards, talk less of the ability to enforce the Awards.

A major implication of frustrations in construction contracts and in disputes resolutions is that it discourages investments in Nigeria by foreigners (i.e keeps

off Foreign Direct Investments) and in construction activities in Nigeria in particular.

Another implication is that investors in construction projects (both the government and private investors) end up with devastating financial losses.

My short preambles so far i believe have described the purpose of this year's Assembly.

Our Assembly this year comes under the Theme - **“ENHANCING THE QUANTITY SURVEYORS' CAPACITY IN BUILDING, ENGINEERING AND INFRASTRUCTURE DEVELOPMENT CONTRACTS, DISPUTES MANAGEMENT AND RESOLUTIONS”** and it is for the Qs to come together to collectively take stock and reflect on the following: -

1. **The Forms of Contracts for projects-** what are the options available? Which ones are advisable for different project situations? Any need for updating our currently used Forms of contracts and in other words what are the current global standards for construction projects? (By QS Francis O. Adetola FNIQS, FRICS, past President NIQS 2006-8, Principal Partner FOAB Partnership Nigeria and also FOAB Consultants UK)
2. **Peculiar Contract Problems in Building, Engineering & Infrastructure projects** - What are the recurring contract problems in these projects? Under what situations of the contract do they occur? What are the impacts of these problems when they do occur? What are the best ways to anticipate and prevent these problems from occurring? (By QS Celestina N. Eke FNIQS, FICIArb, Mni, The Head, Quantity Surveying Division, Federal Ministry of Housing & Urban Development Nigeria, and Director General of the NIQS Foundation)
3. **Resolving Frustrations encountered in Engineering and Infrastructure Contracts, a review** of the Public Procurement Act and the current FIDIC Forms of Contracts - What are the usual frustrations in administering Engineering and infrastructures project that governments and their project managers come across? What or Who are responsible for these frustrations whether knowingly or unknowingly? How can these frustrations be avoided or better managed on contracts? (by QS Aminu Abubakar Suleiman FNIQS, MRICS, AMCIArb.Uk, Principal partner, CDP Partnership Limited)

4. **Problems with Construction Arbitrations in Nigeria** - How are construction Arbitrations structured in Nigeria? What are the current procedures of arbitration? What is the current level of satisfaction in declaring disputes and going for arbitration in Nigeria? How satisfied are Arbitrators with the outcome of their tribunals? Is arbitration working effectively for construction disputes resolution in Nigeria? (by QS John A. Alufohai FNIQS, FRICS, past President NIQS 2011-13, Principal Partner Costec Consultants Limited)
5. **Areas needing improvement in the Appointment of Consultants under the PPA 2007** (by QS Kabir Muhammad FNIQS, Associate YS Shawulu and Partners)
6. **Time for a new concept for construction contracts disputes resolution and management - A case for the advent of Adjudication** (by QS Ifeanyi Tim Anago FNIQS, FICIArb, FICMC, Ch.MC, LLB.BL)

It is hoped that by the end of the Assembly, the Nigeria Qs will leave with better knowledge and understanding of the best ways to advise their clients in respect of construction contracts and in the management of any disputes that may arise from their projects and thus better able to help in the protection of their clients or employer's investments in building, engineering and infrastructure projects developments.

Finally, the Board shall at this event also be inducting and registering a total of 340 newly qualified and registrable quantity surveyors and an induction charge to these new registrants shall be given by QS Dr. Bukola Aluko-Olokun FNIQS, LLB.BL. She is the current Chairperson of the Women Association of Quantity Surveyors (WAQSN), Chairperson of the NIQS Kaduna State Chapter, and the pioneer Chairperson of the Women's Board of the Africa Association of Quantity Surveyors (AAQS).

So Ladies and gentlemen, I would like to implore you all to please sit back and listen to the speakers as they speak to us, kindly reflect deeply on what you hear from them, seek clarifications and ask them questions if necessary, such that at the end of the day the intended objectives of this event are well achieved.

As I close these remarks may I on behalf of the Board, express much gratitude to the organizing committee of the Board that has again successfully put this event together under the leadership of QS Mrs Priscilla Akabudike FNIQS, also

to the management and staff of the Board led by the Registrar QS Usman Alkali FNIQS for your tireless commitment to the continuous success of the Board.

We are greatly indebted to all our invited speakers, and our dear President of the NIQS QS Kene Nzekwe FNIQS.

Finally, our gratitude knows no bounds in appreciating our coordinating Minister, Arc. Ahmed Musa Dangiwa FNIA, the Minister of State of the Ministry Rt. Hon. Yusuf Abdullahi Atah, and the Permanent Secretary of the Ministry Dr. Shuaib Belgore. We are very grateful to you all.

And to all the Qs here I say:

Long Live the Quantity Surveyors Registration Board of Nigeria
Long Live the Nigeria Institute of Quantity Surveyors
Long Live the Federal Republic of Nigeria.

Thank you

OBAFEMI O. ONASHILE MPM, FNIQS, FRICS, CCARB.
President, Quantity Surveyors Registration Board of Nigeria
15th May, 2025