



INTERNATIONAL JOURNAL OF INNOVATION AND INDUSTRIAL REVOLUTION (IJIREV)

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DELAYS IN INTERIOR DESIGN CONSTRUCTION CONTRACT; THE LITERATURE REVIEW

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Article Info:

Article history:

Received date: 30.09.2024

Revised date: 13.10.2024

Accepted date: 05.11.2024

Published date: 16.12.2024

To cite this document:

Yusoff, F. M., Judi, S. S., & Ismail, Z. (2024). Delays In Interior Design Construction Contract; The Literature Review. *International Journal of Innovation and Industrial Revolution*, 6 (19), 40-53.

DOI: 10.35631/IJIREV.619003

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Abstract:

Delays in Interior Design construction contract have been viewed as a crucial and critical problem that will affects timely completion, budgeting and quality of ID construction contract. It's the most dangerous issue that arises in both private and public Interior Design construction contract. The objective of this study is to review the literature regarding delays in Interior Design construction contract that has been affected many projects, caused chaos among Clients and project team members. This study shows strong literature review on delay disputes as very serious issue for the parties involved such as client, consultants and contractors without exception to Interior Design construction contract. As a result, delays in construction contract will be extremely caused time exceeded and cost overrun in Malaysian Interior Design industry. It is expected that this study can help the studies that will be done in the future. This delays issue in Interior Design construction contract should be brought up the attention to find the way of managing the delays and prevent it at the earlier stage.

Keywords:

Construction, Contract, Delays, Interior Design

Introduction

Interior Design industry definitely being handled by the role of Interior Designer which is multifaceted and challenging that combines creativity and technical knowledge to create aesthetically pleasing and functional indoor spaces, ultimately enhancing the quality of life (Manjunath et al., 2024). But this counts for nothing if it is not harnesses to a rigorous grasp of detail and a tenacious ability to get things done. Great schemes are soon forgotten if they are not implemented on time and in budget (Gibbs, 2005).

A contract Interior Designer has expertise in conceptual design, design development, contract documentation and furniture specification, and contract administration. In addition, qualified Interior Designers have technical knowledge to integrate architecture and construction and the ability to create interiors that not only are efficient, cost effective, comfortable, and aesthetically pleasing, but also make workers more productive to avoid delay of works (Coleman, 2010).

The “*Duration of Contract*” or “*Contract Period*” describe the whole project time limits. It deals with the overall project activities such as planning and implementation until the handing over of the project. Miscalculation of the time limits will effect cost and/or mismanagement of the work would affect the desire to complete the contract within time, quality and cost and definitely will caused the delay disputes especially in Interior Design construction contract (Burak, 2023).

This paper will hopefully become an eye-opener to the interior design industry on the issue of delay disputes in Interior Design construction contract is a critical problem that caused chaos and time at large issue between client, consultants and contractors. Therefore, this paper will attempt to highlight the importance of managing delays in Interior Design construction contract at the earlier beginning of the project started. This resulted in the urge by the interior design professional and academician to expand their way of thinking towards the enhancement and better work culture for delay prevention in Interior Design construction contract.

Definition of Delays in Interior Design Construction Contract

The delays occur when the amount of time in contract duration is exceeded. According to Assaf and Al-Hejji (2006) cited by Hosseini et al. (2018), project delay is defined as an overrun beyond the scheduled project completion time. Another study carried by Zack (2003) cited by Hosseini et al. (2018), defines project delay as activity that extends the time required to deliver the project, which manifests itself as additional days of work. Another study by Tawfek et. al (2022), also found that delays can be defined as the lateness of completion; It either exceeds the date specified in the contract or the date decided by the parties for delivery of the project. Delay as a loss of time, Majid (2006) cited by Tawfek et. al (2022), stated that time refers to the period needed for the completion of the construction project. If the project is delay, it means that the project work cannot be completed according to the original contract schedule.

Interior Design construction contract is the “*Agreement with Clients*”. The amount of time it takes for a project to become reality is the factor least within the Interior Designer’s control. While, in general, as known how long the normal design and construction process takes, approvals and construction considerations are outside the Interior Designer’s control and often create the most undesirable results. Also adding that the Interior Designer’s responsibility

is to create solutions that can be accomplished within the reasonable and customary time that it takes to execute an idea of similar complexity within standard practice of contract (Coleman, (2010).

Contract Duration worldwide and as well as in Malaysian Interior Design construction contract defined as contract period which refers to the duration of works that the contractor is obligated to perform the specified works. It is the commencement and completion of the agreed works as per contract (JKR, 2023).

In a contract, contract duration constitutes a commencement or start date and completion or finish date and carry an important contract obligation to the ID contractor alongside with the all other project Conditions of Contract (COC). Contract duration an integral part of the Contract Document in the tender document, and important to the project. The works should cover all necessary and related activities that has to be executed within the timeline as stipulated in the contract (JKR, 2023).

Most Interior Design construction contract are broken down into several phases starting with pre-design services, such as programming, and ending with construction administration, client move-in, and post-occupancy evaluation. Each of these phases requires certain talents and expertise in Interior Design construction contract to execute (Wheeler, 2010). Interior Design construction contract stages as referred to the Table 1: summarisation of Malaysia Interior Design Work Development Plan (IDWDP) – Scope of Work (Mustapha et al., 2021).

Interior Design is the art and science of enhancing the interior of a building to achieve a healthier and more aesthetically pleasing environment for the people using the space. An Interior Designer is someone who plans, researches, coordinates, and manages such enhancement projects. Interior design is a multifaceted profession that includes conceptual development, space planning, site inspections, programming, research, communicating with the stakeholders of a project, construction management, and execution of the design (Pile & J, 2003).

In defining the professional practice of interior design, the National Council for Interior Design Qualification (NCIDQ) provides the following description of its scope:

“Interior design is a multifaceted profession in which creative and technical solutions are applied within a structure to achieve a built interior environment. These solutions are functional, enhance the quality of life and culture of the occupants, and are aesthetically attractive. Designs are created in response to and coordinated with the building shell and acknowledge the physical location and social context of the project. Designs must adhere to code and regulatory requirements and encourage the principles of environmental sustainability. The interior design process follows a systematic and coordinated methodology, including research, analysis and integration of knowledge into the creative process, whereby the needs and resources of the client are satisfied to produce an interior space that fulfils the project goals” (Friedrichs, 2010).

WORK DEVELOPMENT PLAN FOR MALAYSIA INTERIOR DESIGN PROJECT PRACTICE (WDP for ID)													
MALAYSIA INTERIOR DESIGN SCOPE OF WORK (SOW for ID)													
Stage	RIBA PoW 2013	Work Development Process (WDP)			Scope of Work (SOW)								
					SOW	DESCRIPTION							
	0			A	Project Initial								
Pre-Contractual	1	1(1)	Programming	B	Briefing	1	Appointment of Consultant						
						2	Terms of Requirement & ID SOW						
						3	Client's Brief						
						4	Site Analysis						
						5	Initial Client's Budget & Goal						
	2	2(2)	Schematic Design	D	Schematic Design	6	Design Concept		Plans, Drawings & Specifications				
						7	Design Development			Detail Development of Proposed Design			
						8	Design Implementation						
	3-4 (3)	Design Development	F G H	Design Development	Design Coordination		Production of Design Development Drawings						
					Cost Estimation								
					Construction Schedule								
					Client's Approval & Authorities' Approvals								
Contractual	4	Contract Documentation & Implementation	I J	Contract & Tender Documentation Project Tendering	9	Design Review & Finalization							
					10	Tender Drawings							
					11	Detail Specifications							
					12	Bills of Quantity (BQ)							
					13	Tender Process							
					14	Tender Analysis & Report							
					15	Recommendation of Tenderers							
					16	Final Cost Estimation							
WORK DEVELOPMENT PLAN FOR MALAYSIA INTERIOR DESIGN PROJECT PRACTICE (WDP for ID)													
MALAYSIA INTERIOR DESIGN SCOPE OF WORK (SOW for ID)													
Stage	RIBA PoW 2013	Work Development Process (WDP)			Scope of Work (SOW)								
					SOW	DESCRIPTION							
Construction / Installation	5	5(5)	Construction / installation	K L M Q	Site Possession Site Administration Construction & Installation Monitoring Coordinating and Controlling	17	Project Award						
						18	Site Utilities, Access and Accommodation						
						19	Contract Requirements						
						20	Schedule of Work, Statement of Work, Project Procedures						
						21	Time, Cost, Quality (TQC) Health & Safety (H&S)						
						22	Mobilization						
						23	Demolition, Renovation & Fit Out Works						
						24	Periodical Site Inspections & Meetings						
						25	Periodical Progress Report						
						26	Progress Monitoring, Claims & Certificates		Client's Approvals				
						27	Variations & Instructions						
						28	Extension of Time						
29	Mechanical & Engineering Installation & Services												
Post Construction Stage	6	6(6)	Project Completion & Handover	R S	Testing & Commissioning Completion & Handover	30	Pre Handing Over						
						31	List of Unfinished Work in Schedule						
						32	Demobilization						
						33	Certificate of Practical Completion (CPC) or Certificate of Non Practical Completion (CNC)		Project Handover				
						34	Defect Liability Period (DLP)						
						35	Testing Mechanical & Engineering Services Review Project Quality & Progress						
						36	Completion of As Built Drawing & Record						
						6.7	Post Construction	T	Final Inspection & Rectification	37	Additional Works – arrangement of urgent maintenance		
										38	Final Authorities Inspection		
										39	Certificate of Practical Completion (CPC)		
										40	Certificate of Compliance & Compliance (CCC)		
										41	Project Hand Over		
42	Defect Liability Management		Final Account										
7					Project End								
					43	Post Occupancy Evaluation							

Table 1: Interior Design Construction Contract Stages In Malaysia Interior Design Work Development Plan (IDWDP) – Scope of Work (SOW)

Source: (Mustapha et al., 2021)

Delay Disputes in Interior Design Construction Contract

Delays in construction projects are a critical problem around the world, negatively impacting both the project and the people involved; thus, a country's sustainable development depends on the successful completion of construction projects. In the construction management process, time limits have a profound impact on project success. If these time limits are not followed,

any construction including Interior Design projects may be delayed or contract parties may lose rights (Burak, 2023). Adding to that, Burak (2023) highlighted that time limits in Interior Design construction management in contract procedures have a profound impact on project performance. A violation of time limits specified in legislation may delay the planned procurement; therefore, following up on these periods carefully may prevent parties from forfeiting their rights as per contract described.

Project completion on the specified time in the construction contract is the main objective in any project with no exceptional to the Interior Design projects as well by avoiding and overcome the delay that has been crucial issues in any of Interior Design construction contract in Malaysia. Project delay leads to the negative value of the contract regardless of the causes of delay or the responsible party of the delay. Yet, there are many expected or unexpected factors which can affect the construction project delay. Most of ID construction contract have the same execution process but the causes of construction contracts delay are different from one country to another based on many factors such as climate, construction condition, project location, etc. (Tawfek, 2018).

In Interior Design construction contract, time is an essential factor, along with cost and quality, so timely completion of construction work is a key point for the success of any of construction project including Interior Design works (Tafesse, 2021). In other words, not following the timeframes specified in the contract procurement and the planned service. Construction delay lead to claims and disputes and are detrimental to the success of a project in terms of quality, cost, and safety (Maritz et al., 2017). As a result, delay in construction have an impact not only on the construction industry but also on a country's economy as a whole (Tafesse, 2021).

The Importance of Managing Delays in Interior Design Construction Contract

Delays can be managed to prevent it at earlier stage in ID construction contract. Like ID contract documentation, the ID contract administration phase of a project requires a different set of competencies from the earlier phases of a project. The competencies required during this phase are less about the aesthetic of the project but more administrative focused and look at issues of costs, schedules, and code compliance. The administration phase is critical to the success or failure of the project. ID contract administration, the final phase of a project, is often one phase the client remembers. If this phase is successful in the client's mind, the client will likely consider the entire project successful. However, if this phase is unsuccessful such as delay disputes or problem arise, no matter how well the team performed in earlier phases, it is this failure that the client will likely remember (Switzer & Sutter, 2010).

Contract play a significant role in achieving project goals in the construction industry. To enhance a project's performance by implementing a professional contract, construction practitioners must understand how contraction issues are addressed in the contract conditions (Asadi, 2021). On the other hand, Gibbs, (2005) added that, the contract is an essential means of controlling and managing interactions between parties under various situations. From taking the client's brief and developing designs to overseeing a project right through to the installation of furniture, artworks and accessories, the role of the Interior Designer is multifaceted and definitely related to time and cost.

Gibbs (2005) also highlighted that, in this technological and litigious age, an Interior Designer is unlikely to work on any project in isolation. A project requiring structural changes could

involve a surveyor to establish the state of the building and, possibly, to conduct negotiations with adjoining owners affected by the building works. In some instances, it is the surveyor who liaises on behalf of the Interior Designer with planning officials for necessary permissions. A district surveyor needs to be informed of any project taking place that involves structural work even if planning permission is not required. In the event of major rebuilding works, conversion or extension work it will be necessary to liaise with officials such as a planning officer or fire officer and involved extra time and cost.

Another involvement of additional time and cost will be included in the contract, whereby an architect might be involved in cases where substantial interior structure changes are required or an existing property is being extended. If calculations are needed to demonstrate that all loads within a building structure are safely constructed and properly accounted for, then a structural engineer or a mechanical engineer, who would design mechanical and electrical installations, such as lifts, heating, ventilation, air conditioning, sound or computer systems, might be brought in on a ID contract. It often makes good sense for an Interior Designer to work with a specialist lighting consultant on the lighting schemes for a project. Specialists for other services such as heating, ventilation, air conditioning, and computer and sound systems might also be involved. Similarly, bathroom and kitchen design specialists might be employed (Gibbs, 2005). The above scope of works can be described as per following types of Interior Design (ID) construction contract:

Design-Bid-Build Contract

This type of construction contract was known as traditional method (Hosseini et al., 2016). The contract process was separated into design, bid and build phases in a linear manner (Fong et al., 2014). The contracts for design and construction were separated; owner-designer and owner-contractor (Azhar et al., 2014).

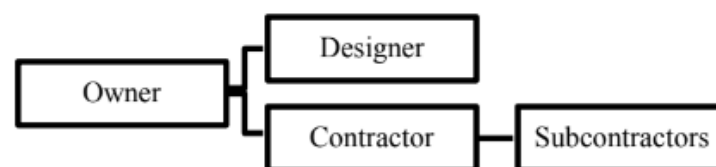


Figure 1: Design-Bid-Build Contract

Source: (Fong et al., 2014)

Construction Manager at Risk Contract

The commitment from CM at Risk was required in this type of construction contract in order to deliver the project within a specified schedule and price, either a fixed lump sum or guaranteed maximum price (GMP) (DBIA, 2015). There were three linear phases in the construction contract process; design, bid and build however, it was faster compared to the traditional method (DBIA, 2015).

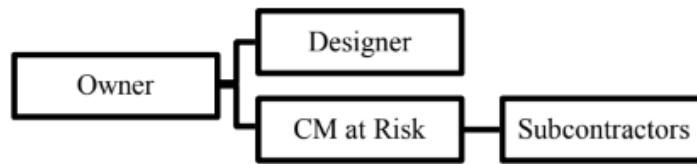


Figure 2: CM at Risk Contract

Source: (Fong et al., 2014)

Design-Build (DB) Contract

In DB method, a single entity signed a single contract with the owner for the performance of design and construction services (Azhar et al., 2014). The entity could be integrated design-build firm, contractor led, designer led, joint venture or developer led (DBIA, 2015). This method encouraged team collaboration and enable early involvement of contractor to give input and took part in the budgeting, programming, financing, assessed the design for constructability and cost of construction (Azhar et al., 2014).



Figure 3: Design-Build Contract

Source: (Fong et al., 2014)

Time functions were establishing to be the most important factor of planning and controlling within the contract document followed by cost function. The usage of contract document identifies construction activity function within the content of Construction Drawing and secondly, the construction cost function within the content of Bills of Quantities (Ali, 2006).

Gibbs (2005) also adding that, once the project is under way, the Interior Designer will be working with individuals from many trades, including builders, plumbers, heating engineers, electricians, joiners, plasterers, painters/decorators, decorative paint specialists, wallpaper hangers, flooring contractors, curtain makers, upholsterers, and many others. At the outset of a project, the Interior Designer needs to formulate a creative response to the client's brief, and a concept board such as this one is often used to evoke the essence of a n Interior Design ambience. These scope of works journey are all related to the importance of managing delays in ID construction contract.

The important components of contract duration are "Start" and "Finish", by means the project should be managed accordingly to construction contract as per the following Sample of Project Gantt Chart with the details of Interior Design works and activities during the contract duration (Table 2):

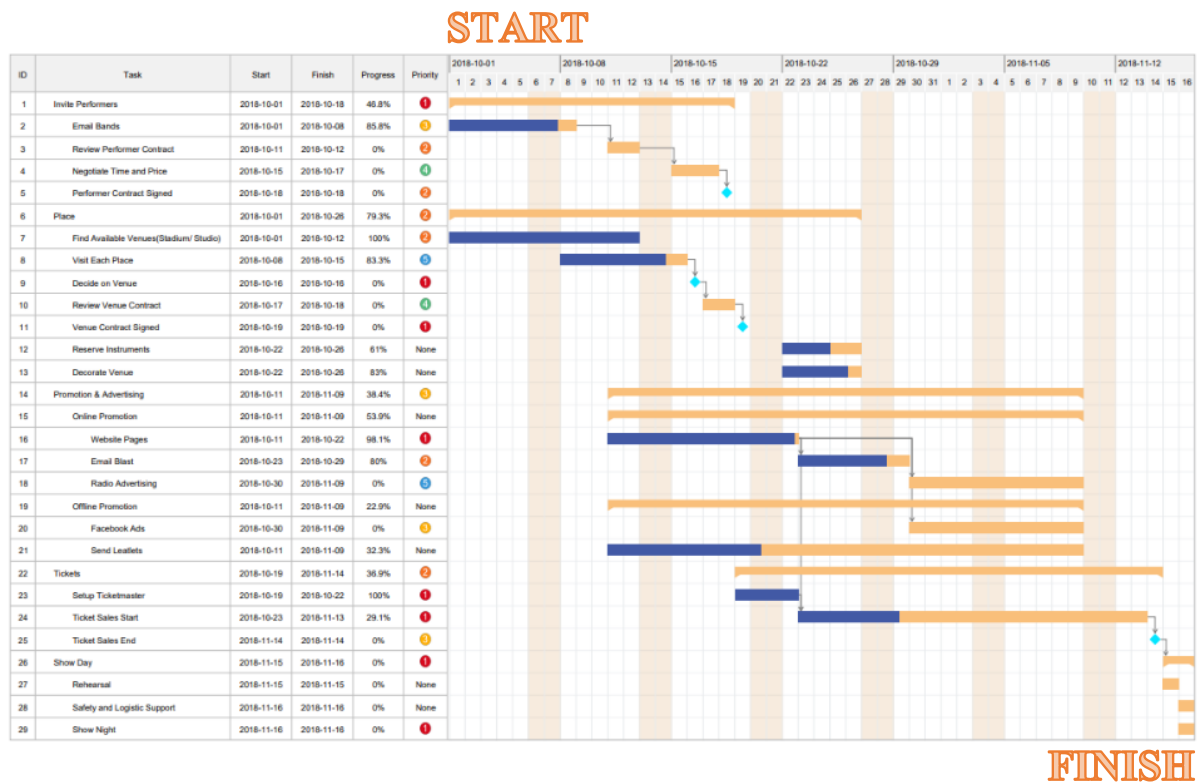


Table 2: Sample of Project Gantt Chart for Timeline running within Contract Duration from Start to Finish in Interior Design Construction Contract

Source: (Coleman et al., 2010)

Results

As a results, the overview of literatures for delays in Interior Design construction contract give impact of the consciousness of managing delays at earlier stage can prevent it from the beginning phase of the contract and overcome it in wisely manner to make the project success. The risks and uncertainties that might arouse in any project that lead to a complex decision-making process and delayed all the programmes in the ID construction contract.

Therefore, the selection of an applicable type of contract was the foundation that dictated the successfulness of a project, however, it might also lead to failure under distinct situations (Hosseini et al., 2016). Which is by means, choosing the best type of contract was one of the most crucial decisions to be made and it should be started with a good understanding on the available choices to ensure that delays in Interior Design construction contract could be managed with good strategies.

Conclusion

Ontologically as a summary, how important and it is a critical for managing delays in Interior Design construction contract can lead to the success of ID construction contract entirely. However, Interior Designers need to execute work systematically; and to make the job easy coordinates; to have managed issue-less projects. Problems and issues always occur everywhere in the stages of construction. It may occur due to the other consultant players' faults, and it may also occur due to disruptive work flow; either from the client's demands or

the designers itself. Therefore, interior designers must acquire a certain standards or level of skills and knowledge of project management (Noorhani, 2009).

Therefore, the delay disputes in Interior Design construction contract could not be seen as a trivial problem and it is a necessity to resolve the weaknesses of managing delays in all aspects towards achieving the successful of ID construction contract entirely. This is the time for interior designers to revive the systematic-thinking-reflective paradigm from solely-design (Mustapha, 2013). On top of that, this study will allow academia and practitioners empowering and making more efforts and giving ways for overcoming delays in Interior Design construction contract, widely.

Acknowledgment

First of all, thank you to the Almighty Allah swt for His willingness and the powerful given. Praise to Allah, Most Gracious Most Merciful. Best prayers and peace be upon his messenger Muhammad S.A.W, his pure descendant and his family and his noble companions. I would not have done this alone without the support of lovely people around me for the successful completion of this study as through His Grace and the prayers of my endless love entire family and all related parties in this meaningful and momentous journey in the pursuit of educational excellence. I wish to convey my utmost gratitude to Sr. Dr. Siti Suhana binti Judi (Supervisor) and Professor Ts. Sr. Dr. Zulhabri bin Ismail (Co-Supervisor), for their encouragement, valuable suggestions and advice during the entire period of this research. They gave generously their knowledge, time and effort, provided academic directions and offered constructive views and criticisms. I would like to submit my heartiest thanks to the lecturers and all related person who may related directly or indirectly in this journey which have influenced my writing and gave me their encouragement and sincere support. A very special thanks to Universiti Teknologi MARA (UiTM), Institut Pengajian Siswazah (IPSIS), College of Built Environment (CBE) for providing the necessary resources and a conducive research environment. Finally, I extend my deepest appreciation to my friends and acquaintances for their unwavering support, patience, and understanding throughout this journey.

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