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# Royal Institution of Surveyors Malaysia



## BERITA QS MAR 2026

Issue No.9 Session 2025/2026

**FOR MEMBERS ONLY**

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Jointly Organised by

The Australian Institute of Quantity Surveyors  
(AIQS)Royal Institution of Surveyors Malaysia (RISM)  
Quantity Surveying Division

Hybrid Seminar

**BEYOND BORDERS:  
NAVIGATING CONSTRUCTION LAW AND  
EVOLVING QS ROLES ACROSS AUSTRALASIA****12 MAR**  
2026  
Thursday**2.00 PM – 6.00 PM (MYT)****myBIM Centre**11th Floor, Menara Sunway Putra,  
100, Jalan Putra, 50350 Kuala Lumpur

On 12 March 2026, the Australian Institute of Quantity Surveyors (AIQS) and the Royal Institution of Surveyors Malaysia (RISM), Quantity Surveying Division, successfully delivered a landmark hybrid seminar titled “Beyond Borders: Navigating Construction Law and Evolving QS Roles Across Australasia.” Hosted physically at the CIDB E-Construct/myBIM Centre in Kuala Lumpur and virtually across the region, the event marked a significant professional collaboration aimed at addressing the evolving complexities of construction law, international market expansion, and the future trajectory of the Quantity Surveying (QS) profession.

The seminar commenced with opening remarks from Sr Nazir Muhamad Nor, Vice President of RISM’s QS Division, and Dr. James Cameron, Chief Executive

Officer of AIQS, both of whom emphasized the importance of strengthening international professional collaboration, safeguarding industry standards, and enhancing the global relevance of QS practitioners.

The exchange of commemorative tokens between AIQS President Sr Fiona Doherty and Sr Nazir Muhamad Nor symbolised their shared commitment to advancing the profession. Following this meaningful ceremonial gesture, the seminar smoothly transitioned to its core technical presentations, during which distinguished speakers explored critical developments in construction law, evolving roles in quantity surveying, and emerging opportunities for cross-border professional practice across Australasia.



Welcome remarks from Sr Nazir Muhamad Nor, Vice President of RISM's QS Division

**Technical Session 1: Navigating Malaysian Construction Risks**  
**Speaker: Sr Ong Hock Tek, Managing Director, BK AsiaPacific / BK Entrustly**

**Topic: Liquidated Damages, Prevention Principle & Time Bars: Current Risk Issues in the Malaysian Construction Industry**



Technical Session 1 was delivered by Sr Ong Hock Tek, who opened the programme with an insightful session by examining the legal intricacies of project delays and risk allocation in Malaysia, focusing on

the recent change in Liquidated and Ascertained Damages (LAD) enforcement. Highlighting the 2019 Federal Court decision in Cubic Electronic S/B v Mars Telecommunication S/B, Sr Ong noted

that the innocent party need not prove actual loss to enforce LAD; instead, the defaulting party must now prove the LAD stipulated is unreasonable.

Sr Ong further unpacked the Prevention Principle and "Time at Large." He explained that if an employer causes a delay and fails to grant an Extension of Time (EOT), "time becomes at large," meaning the contractor is only obligated to complete works within a "reasonable time," and the employer loses the right to impose LAD. However, he strongly warned that the Prevention Principle is not a reliable safety net. Contrasting international cases (like the Australian *Gaymark* case) with Malaysian jurisprudence (such as the *Syarikat Pembinaan Anggerik* case), he demonstrated that Malaysian courts now mandate strict compliance with contractual time bars. Missing a mandatory notice deadline can be fatal to an EOT claim, regardless of who caused the delay. Furthermore, Architects and Contract Administrators do not have the inherent authority to waive these strict notice requirements on behalf of the employer.

Another important point raised is about surviving these stringent legal realities. Sr. Ong urged QS professionals to shift from mere "technical estimation" to proactive "contractual administration and risk management". He recommended establishing robust "Core Documentation Pillars," including highly detailed daily site diaries, date- and geo-tagged progress photography, immediate written confirmation of all verbal instructions, and formal "Notice Trackers". He also provided a brief overview of the Construction Industry Payment and Adjudication Act (CIPAA) 2012, highlighting its 100-working-day fast-tracked statutory adjudication process and its "pay now, argue later" mechanism designed to protect industry cash flow.

Overall, the session provided delegates with critical legal insight and practical professional awareness, reinforcing the necessity of disciplined contract

administration, meticulous documentation, proactive risk management, and strict procedural compliance in effectively navigating contemporary construction challenges and legal risks in Malaysia.

**Technical Session 2: De-risking International Expansion**  
**Speakers: Sr Vincent C. F. Chu and Sr Richard Y. Xiao.**  
**Topic: "How a Local QS Can De-risk Entry into a New Construction Market".**



Technical Session 2 expanded the conference’s perspective beyond Malaysia’s borders by focusing on how local Quantity Surveying professionals can strategically position themselves for international construction opportunities while effectively managing the risks associated with entering unfamiliar markets.

Importantly, the speakers stressed that effective claims management, delay analysis, and strategic contract administration are indispensable survival tools when operating abroad. Their real-world project case studies vividly illustrated how technical oversight, local sensitivities, and legal preparedness can determine project success or failure.

Sr Richard Xiao and Sr Vincent Chu began the session by outlining the immediate challenges faced by local QS professionals transitioning into the global construction arena. Key barriers identified included limited cross-cultural understanding, a scarcity of reliable cost data, differing project management practices, and unfamiliarity with international contract forms. They noted that Malaysian practitioners accustomed to PAM Contract conditions must adapt significantly when engaging with FIDIC contracts, which are more commonly used in markets such as the Middle East and other global regions.

Despite challenges, speakers stressed that lucrative opportunities, such as Saudi Arabia's \$500 billion "The Line" (NEOM) and the \$250 billion Gulf Railway, far outweigh the risks when managed effectively. In Engineering, Procurement, and Construction (EPC) contracts, Engineering is the highest-risk phase, requiring rigorous attention to technical discrepancies across borders. Logistics and Procurement also require a robust understanding and mastery of Incoterms 2020.

The speakers strongly advocated proactive claims management, calling Extension of Time (EOT) claims the project's "life belt" and reminding the audience that "Variations do not always equal Claims." They illustrated these lessons through real-world case studies: the Poland A2 Expressway (where failure to relocate local frogs led to project termination), the Mecca Light Rail (managing strict

religious labor constraints and extreme weather), and the Sabah 750 Units Apartment Project (successfully using Time Impact Analysis, which assesses schedule impacts of delays, for EOT claims).

Overall, Technical Session 2 provided delegates with valuable strategic insights into the realities of international market expansion. The session underscored that while global opportunities can be highly rewarding, successful entry requires more than technical QS knowledge, it demands adaptability, contractual competence, cultural intelligence, and robust risk management. For local QS professionals aspiring to operate on the global stage, the message was clear: international success depends on preparation, precision, and the ability to de-risk every stage of market entry.

**Technical Session 3: Security of Payments Acts (SoPA) in Australia****Speaker: Sr Fiona Doherty, President, Australian Institute of Quantity Surveyors (AIQS)****Topic: An Introduction to Security of Payments Acts (SoPA) – Australia**

Technical Session 3 featured Sr Fiona Doherty, President of AIQS, who shared valuable insights into Australia's Security of Payments Acts (SoPA) and its critical role in safeguarding cash flow across the construction supply chain.

Sr Fiona Doherty drew on her 36 years of global QS experience to present on Australia's legislative frameworks protecting supply chain cash flow. She explained that SoPA operates on a "pay now, argue later" principle. This creates a statutory right to progress payments. It also strictly invalidates "pay when paid" clauses. As a result, smaller subcontractors are not held hostage by upstream financial issues.

She outlined the two main Australian models: the highly structured East Coast Model (used in NSW, Victoria, Queensland, etc.) and the less formal West Coast Model. For NSW, she mapped the strict 7-step process: identifying the Reference Date, serving a Payment Claim, then Rapid Adjudication and Enforcement. Ms. Fiona concluded by highlighting the QS's central role. The rapid SoPA process depends on accurate measurements and strict timelines, so QS professionals are invaluable for preparing claims, responding to schedules, and providing adjudication support.

## Panel Discussion: Evolving QS Roles in Construction Law across Australasia



One of the key highlights of the seminar was the highly engaging panel discussion moderated by Sr Dr Wan Maimun W Abdullah, Past President of RISM, which brought together distinguished industry leaders and legal experts to explore the evolving role of Quantity Surveyors within construction law across Australasia and beyond.

The esteemed panel featured Sr Fiona Doherty, President of AIQS; Court of Appeal Judge The Hon. Justice Dato' Sr Lim Chong Fong; Sr Vincent C.F. Chu; Sr Richard Yao Xiao; and Sr Ong Hock Teck. Collectively, the panel delivered a dynamic exchange of perspectives spanning legal practice, international market realities, contract administration, and the future trajectory of the QS profession.

Central discussion themes included:

- **Cross-Border Cultural Nuances:** The panel emphasized that working internationally requires acute cultural intelligence, from understanding religious practices to navigating regional risks like war and terrorism insurance in the Middle East.
- **The Four Pillars of Disputes:** Construction disputes were expertly categorized into four main drivers: Design, Delay, Defects, and Default in Payment (the most frequent catalyst). The panel noted that disputes often arise from a rushed tender period and flawed procurement systems that blindly transfer risks to contractors.

- **Best Practices & Contract Administration:** To avoid disputes, panelists advised conducting joint valuations to sign off on progress claims progressively. They warned against the "Rojak" approach (lumping unassessed variations into the final account) and cautioned professionals not to over-rely on AI tools like ChatGPT for critical contractual communications. Furthermore, subcontractors were advised to aggressively negotiate and cap back-to-back LADs, and to meticulously review drawings before accepting lump-sum contracts.
  - **The Impact of AI:** As Artificial Intelligence automates basic quantity take-offs, the panel had a clear consensus: the modern QS must evolve. The profession's future relies on high-value, nuanced advisory roles, including strategic claims management, delay analysis, ESG reporting, lifecycle costing, and carbon management.
  - **Advice for Aspiring Expatriates:** For those seeking international careers, the panel advised deeply studying local laws (never assuming foreign contracts mirror Malaysian ones), being bold enough to "speak up" in meetings, and managing personal and professional expectations.
- The seminar concluded with a vibrant hybrid Q&A session, during which panelists responded to a wide range of questions from both in-person participants at the myBIM Centre and Zoom attendees. This interactive segment further enriched the session, providing the experts with highly practical advice on pressing industry issues, such as the need for subcontractors to proactively negotiate and cap disproportionate Liquidated and Ascertained Damages (LAD). Furthermore, the panel addressed the future of the profession, urging practitioners to pivot towards high-value, nuanced contract management in the face of advancing AI capabilities, while also offering crucial, strategic tips for young professionals looking to expand their careers into competitive international markets.

## Closing Remarks



A symbolic exchange of commemorative tokens between AIQS President Sr Fiona Doherty and Sr Nazir Muhamad Nor, Vice President of RISM's QS Division, marking a shared commitment to strengthening global collaboration within the Quantity Surveying profession

Associate Professor Sr Dr. Umi Kalsum Zolkafli @ Zulkifly, Secretary General of the RISM council, delivered the closing remarks on behalf of Sr Wan Ainon Zuraiha Khalid, President of RISM. The seminar concluded with heartfelt appreciation extended to all the distinguished speakers, panelists, and moderators, including Sr Fiona Doherty, Sr Vincent C.F. Chu, and Sr Richard Yao Xiao, Dr. James Cameron, Sr Nazir Muhammad Nor, The Hon. Justice Dato' Sr Lim Chong Fong, Sr Ong Hock Teck and Sr Dr Wan Maimun W Abdullah.

Attending the AIQS × RISM Hybrid Seminar, "Beyond Borders: Navigating Construction Law & Evolving QS Roles Across Australasia," at CIDB E-Construct / myBIM Centre, Kuala Lumpur, provided a timely and thought-provoking reflection on the evolving trajectory of the Quantity Surveying

profession. By successfully bridging rigorous legal theory with practical quantity surveying realities, the seminar highlighted critical contemporary issues, including liquidated damages, the prevention principle, time bars in Malaysian construction contracts, and Security of Payment practices in Australia.

Beyond its technical legal discourse, the seminar also sparked meaningful discussion on the cross-border mobility of QS services, particularly the longstanding question of how effectively Malaysian practitioners are exporting upstream consultancy expertise, such as cost planning, procurement strategy, and commercial advisory, rather than merely following contractors into downstream foreign market participation. As AI, digitalisation, and evolving global procurement

systems continue to reshape the construction landscape, the event served as a powerful reminder that the future QS must transcend traditional technical functions by embracing adaptability, strategic advisory capabilities, legal literacy, and global commercial competence.

After decades of discussing QS mobility between Asia and Australasia, the profession may need to reflect on its report card so far. Are Malaysian QS practitioners content serving predominantly local markets, or are they ready to expand beyond borders?

The seminar reinforced that success in today's construction industry belongs to professionals who combine technical excellence with legal mastery and cultural intelligence. By highlighting the evolving trajectory of quantity surveying, it underscored the importance of adaptability and competence in guiding complex international projects to successful, dispute-free outcomes.

**Group photo of speakers and moderator with the Secretary General of RISM**



**Group photo with fellow attendees and organising team with the Secretary General of RISM**



## Standard Method of Measurement 3 (SMM3) Implementation Notice

The Royal Institution of Surveyors Malaysia is excited to announce the launch of the new Standard Method of Measurement 3 (SMM3) in October 2024, marking a significant advancement from SMM2, which has guided the industry since 2001. Key details are excerpted below:



Session 2025/2026

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Ref. No.: RISM-HQ/QS/2025-2026/GCL (132)  
Date: 21 Oktober 2025

Assalamualaikum Warahmatullahi Wabarakatuh dan Salam Sejahtera

### PEMAKLUMAN TARIKH DAN KAEDAH PELAKSANAAN KAEDAH PENGUKURAN SETARA/STANDARD METHOD OF MEASUREMENT (SMM3) TERBITAN TAHUN 2024

#### 1.0 TUJUAN

1.1 Pemakluman ini dikeluarkan untuk memaklumkan bahawa Bahagian Ukur Bahan Pertubuhan Juruukur DiRaja Malaysia (RISM) telah melaksanakan penambahbaikan ke atas Kaedah Pengukuran Setara/Standard Method of Measurement (SMM2) yang telah digunakan sejak tahun 2001 dalam industri pembinaan di Malaysia dengan penerbitan baharu *Standard Method of Measurement* (SMM3) yang telah dilancarkan pada Oktober 2024.

1.2 Surat Pemakluman ini bertujuan untuk memberi panduan dan saranan ke atas penggunaan SMM3. Surat Pemakluman ini juga menerangkan proses pelaksanaan penggunaan secara sistematik kepada perunding Ukur Bahan, pihak kerajaan dan pihak swasta bagi menjamin kelancaran pelaksanaan SMM3 dalam membangunkan Senarai Bahan (Bills of Quantities) dalam projek pembinaan di Malaysia.

#### 2.0 LATAR BELAKANG

2.1 Berdasarkan perkembangan teknologi dan meletakkan amalan dan praktis ukur bahan dan kejuruteraan kos memenuhi keperluan antarabangsa, pihak RISM telah melaksanakan kajian awalan dan menubuhkan Jawatankuasa SMM3 pada tahun 2017 yang diberi tanggungjawab untuk pembangunan SMM3 dengan format lebih menyeluruh dan berasaskan sistem pengkodan yang sistematik.

2.2 SMM3 telah diterbitkan mengandungi 29 Seksyen Kerja (Work Sections) sebagai kerangka utama bagi membangunkan Senarai Bahan (Bill of Quantities) yang lengkap. Kerja Permulaan (Preliminaries Works) juga dibangunkan dengan mengambilkira keperluan dalam memastikan kualiti kerja yang selamat dan memberi penekanan kepada komponen kualiti bahan binaan, keselamatan, kesihatan di tapak bina dan penjagaan alam sekitar.

The prefix 'Sr' has been registered to Royal Institution of Surveyors Malaysia under Class 42 of the Trade Marks Act 1976 and the Trade Marks Regulations 1997 (Trade Mark No. 2017059786) with effect from 30<sup>th</sup> May 2017.

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Ref. No.: RISM-HQ/QS/2025-2026/GCL (132)  
Date: 21 Oktober 2025

- 2.3 Tiga Seksyen Kerja (Work Section) baharu diperkenalkan bagi membolehkan Senarai Bahan (Bill of Quantities) dibangunkan untuk Kerja *Industrialised Building System* (IBS), Kerja Kejuruteraan Mekanikal dan Elektrikal (M&E Works) dan Kerja Pengurusan Fasiliti (FM Works).

### 3.0 KAEDAH PELAKSANAAN DAN TARIKH PELAKSANAAN

- 3.1 Adalah penting bagi pihak berkepentingan industri pembinaan untuk mengguna pakai SMM3 yang boleh diintegrasikan dengan teknologi *Building Information Modeling* (BIM) dan panduan data kos bagi projek pembinaan seperti sistem N3C untuk memastikan penghasilan Senarai Bahan (Bills of Quantities) yang sistematik dengan sokongan data kos terkini.
- 3.2 Tarikh Pelaksanaan penggunaan SMM3 adalah pada **1 Jun 2026**.
- 3.3 RISM telah merangka strategi untuk melaksanakan SMM3 dalam projek pembinaan. Pendekatan pelaksanaan ini termasuk aktiviti-aktiviti berikut:

#### a) Kerjasama strategik dengan Agensi Teknikal Kerajaan.

JKR Malaysia dan JPS Malaysia merupakan agensi teknikal untuk pelaksanaan projek Kerajaan termasuk pengurusan kos dan pentadbiran kontrak projek keseluruhan dalam projek awam. Pelaksanaan SMM3 oleh JKR dan JPS boleh meningkatkan prestasi penyampaian projek awam.

#### b) Kerjasama dengan instituti pengajian tinggi awam dan swasta.

Melaksanakan program *Train the Trainer* (TTT) kepada 50 tenaga pengajar dari 21 instituti pengajian tinggi awam dan swasta yang menawarkan program Ukur Bahan yang telah menandatangani perjanjian persefahaman dengan RISM untuk memastikan penggunaan SMM3 diterapkan dalam silibus pengajaran.

#### c) Kerjasama strategik dengan Pemaju Utama.

Pemaju Utama memberi tumpuan kepada pembangunan projek pembinaan yang mampan dengan menerapkan elemen *Building Information Modeling* (BIM) dengan menggabungkan amalan bangunan hijau dan teknologi pintar ke dalam pembangunan yang dilaksanakan. SMM3 boleh digunakan sebagai asas dalam pengurusan kos yang sistematik bagi bangunan hijau dan bangunan pintar.

Ref. No.: RISM-HQ/QS/2025-2026/GCL (132)  
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**d) Sokongan Pelaksanaan BIM 5D oleh Pembekal Perisian Pembinaan.**

RISM akan bekerjasama dengan penyedia perisian pembinaan seperti Glodon, CYPE, Cost X, dan Autodesk Revit untuk membangunkan pengukuran pembinaan BIM 5D berdasarkan format dan rangka kerja SMM3, yang membolehkan proses pengurusan kos diintegrasikan dengan pengurusan sumber bahan binaan utama dalam pelaksanaan projek.

**4.0 PERTANYAAN**

- 4.1 Untuk sebarang pertanyaan atau maklumat lanjut, sila hubungi Bahagian Ukur Bahan, RISM melalui e-mel di [qsdiv@rism.org.my](mailto:qsdiv@rism.org.my).

Sekian, terima kasih

Yang benar,

**PERTUBUHAN JURUUKUR DIRAJA MALAYSIA**



**Sr WAN AINON ZURAIHA BINTI WAN ABDUL KHALID**

Presiden

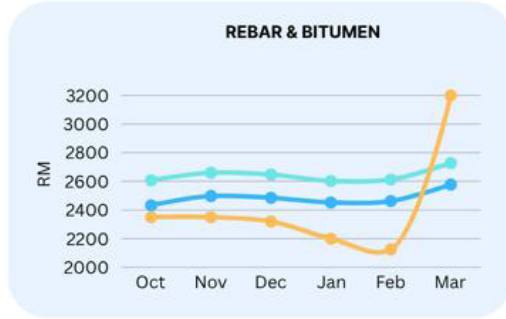
Pertubuhan Juruukur DiRaja Malaysia (RISM)

s.k. Sr Nazir Bin Muhamad Nor  
Naib Presiden (Ukur Bahan)  
Pertubuhan Juruukur DiRaja Malaysia

# BUILDING MATERIAL PRICES (MARCH 2026)



| Material          | Unit           | Price (RM) | Last Change |        |
|-------------------|----------------|------------|-------------|--------|
|                   |                |            | RM          | %      |
| R10 Rebar         | tonne          | 2,727.50   | +115.00     | +4.40  |
| Y12 Rebar         | tonne          | 2,577.50   | +115.00     | +4.67  |
| G30 Concrete      | m <sup>3</sup> | 402.00     | +30.00      | +8.06  |
| Normal River Sand | tonne          | 63.00      | +5.00       | +8.62  |
| OP Cement         | bag            | 24.25      | unch        | unch   |
| Aggregate 3/4"    | tonne          | 70.00      | +5.00       | +7.69  |
| Cement Sand Brick | piece          | 0.30       | unch        | unch   |
| Bitumen 60/70     | tonne          | 3,200.00   | +1,075.00   | +50.59 |



The standout movement this month is the 50.59% surge in Bitumen 60/70 to RM3,200 per tonne, which tracks a sharp escalation in global asphalt benchmarks as bitumen futures rose nearly 30% month-on-month in March. The primary driver is the Iran, US and Israel conflict that has disrupted Iran's role as the world's largest bitumen exporter, with Brent crude hovering near USD 120 per barrel forcing Malaysia, Vietnam and Taiwan to compete for tightening Gulf-origin cargoes. The timing is awkward given continued Pan-Borneo and federal road maintenance offtake, meaning the cost shock flows almost directly into paving contracts and JKR rate revisions.

The rebar, concrete and aggregate increases tell a more structural story. R10 and Y12 rebar each rose by RM115 per tonne, or roughly 4.4 to 4.7%, reflecting Tenaga Nasional's 14.2% industrial tariff hike, which is significant given that electricity accounts for 35 to 40% of EAF steelmaking costs, alongside post Chinese New Year restocking and tighter mill output following maintenance shutdowns. The 8% jumps in G30 concrete, river sand and 3/4" aggregate are essentially the downstream effect, supported by sustained demand from Klang Valley data centre builds, MRT3 enabling works and a steady residential pipeline, while clinker import delays and higher haulage costs squeezed ready mix margins. OP cement and cement sand bricks held flat, suggesting the pressure remains concentrated in energy intensive and oil linked inputs rather than spreading across the board.

Access more historical price data and updates at [n3c.cidb.gov.my](http://n3c.cidb.gov.my)

