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## Ethics in commissioning in construction

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### Abstract

In this paper, a pilot study on the commissioning processes in Norwegian construction projects is reported upon. The study was undertaken in order to address both the general questions of ethics in construction project management, and more specific questions pertaining to the commissioning phase of such projects. In addition to a literature review and a documentation study, 13 semi-structured interviews were carried out according to a qualitative approach. Four of these were general in nature (with clients) and nine case-specific (with client, contractor and user representatives). Based on the results, a description of ethical challenges in commissioning in construction is established. The findings indicate that a commissioning process poses significant challenges in light of hidden agendas and power play among actors. Clients and contractors tend to be systematically suspicious of one another. Major costs in play reinforce this. The findings included the signs of actors repetitively utilising the complexity involved in the commissioning phase for own benefit at the expense of other actors, which is relevant for both clients and contractors. Further research is needed in order to clarify the challenges involved and to develop appropriate measures to address these challenges.

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### 1. Introduction

This paper outlines an understanding of the ethics of commissioning as part of a more general enquiry within the field of the ethics of the Norwegian construction industry. Later years have witnessed an increasing interest in the

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field of applied ethics in general and in professional ethics in particular (Christoffersen, 2011). Different professions establish rules and regulations, medical doctors, teachers, social workers etc., and the number of publications is ever increasing. The authors of this paper have so far not seen this trend reflected neither in publications concerning the construction industry in general, nor in actual industry agreements in Norway. Notable exceptions from this general statement are the likes of Ray et al. (1999), Hill et al. (2013), Fellows et al. (2004), Corvellec and Macheridis (2010), Collier (2005), Bröchner (2009) and Bowen et al. (2007). It seems that the rest do not appear to have a very widespread, thorough understanding of what the ethics of the construction industry should consist of.

Considering that the construction industry in general and in Norway in particular typically receives attention as an industry of doubtful virtue, (1) where neither the police, the tax authorities nor the professional organisations fully master the challenges posed by professional practice (Andersen et al., 2014), (2) where the inherent complexity in itself opens the opportunity for suspicious dealings (Gunduz & Önder, 2012), (3) where fraudulent business practices undermine the reputation of the industry (Slettebøe et al., 2003), (4) that lacks a clear vision based on a fortified ethical foundation (Constructing Excellence, 2009:18). We find this strange. As Hill et al. (2013) comment, there is probably no simple solution or “quick fix” to the challenges of the ethical nature that the industry faces. Tackling such challenges necessitates both insight and endeavour. This proves especially true when considering the commissioning phase of construction projects. The literature has for instance highlighted the need for the further development of commissioning procedures on the subject of renovation (Vainio et al., 2013)

Whilst the analysis is based on the Norwegian construction projects, the general nature of the challenges presented ought to render it of interest on a more general level for both clients and contractors.

### *1.1. The problem of challenges and costs*

According to Ingvaldsen (2008), 2-6% of net production value is typically used to mend process related damages in construction projects, that is, damages inflicted during the construction process and discovered by the customer or user after the commissioning of the building. On the other hand, Josephson (1994) has maintained that such damages can surpass 10% of the total production cost, this number including both damages observed both during and after commissioning.

Norges bygg- og eiendomsforening (2014) concluded that the areas with particular problems were the technical facilities– ventilation, heating/cooling, energy efficiency and moisture related challenges. Others have pointed out to fire and fire related questions as of particular importance.

Ulfnes and Danielsen (2004) studied five projects and found several discrepancies with respect to fire resilience. One example here is a retreat home lacking the documentation concerning the fire related questions the six months after the commissioning. The documentation was still not concluded during the time of the analysis. According to these authors, documentation concerning fire and fire related questions are typically lacking at the time of the commissioning of construction projects. This list most probably can be made much longer.

In the following, we examine why challenges such as these appear repeatedly within the context of the Norwegian construction industry.

### *1.2. The project of this paper as a structural approach to ethical challenges in commissioning*

In this paper, we analyse the ethical challenges in the commissioning phase for the construction industry from a structural perspective. The underlying idea is that the manner in which the industry is organised and certain inherent characteristics form specific challenges of the ethical nature. Rather than presenting any clear (normative) outline of what is good and bad behaviour, we outline the challenges posed in a descriptive manner. The research questions are as follows:

- (1) What challenges of the ethical nature are commonly encountered in the commissioning phase of construction projects?
- (2) What are the structural (systemic) reasons for such challenges appearing?

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