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ISLAMIC PROJECT MANAGEMENT

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1.0 Abstract

The application of project management theories, tools and techniques have become increasingly dominant for construction projects in Malaysia since its early years of introduction in the 1990s. This phenomena is worldwide and Malaysian construction industry is moving parallel as other countries. It is believed that using proper and well structured project management techniques can enhance projects performance and thus ensuring projects success. Jabatan Kerja Raya Malaysia (JKR) or Public Works Department of Malaysia as the technical arm of the government, leading the implementation of public projects in Malaysia, in recent years has been putting a lot of efforts in escalating the competencies of its personnels in 'Best Practice Project Management' as part of long term strategic planning and initiatives to ensure project success. The Project Management Body of Knowledge (PMBOK Guide) modules from the Project Management Institute (PMI), USA and project management certification programme from Australian Institute of Project Management (AIPM) have been adopted as based model by JKR. Nevertheless, the current practice of project management is western as it has its origin from western countries. *Muamalat* or Islamic business practice that comply with Shari'ah in the sectors of banking and finance, insurance (known as *Takaful*) and capital market (such as *Sukuk*) has shown tremendous success since its first effort of instilling Islamic values into the Malaysian economy and banking system in the 1980s. However, little effort is made in bringing the benefits of *Muamalat* or Islamic system into the construction sector. No research or literature available that really discusses or focuses on whether current practice of project management is shari'ah compliant or not. As Islam and Shari'ah promote principles of justice, moral obligation, accountability, transparency and equility and emphasising on securing benefits of people and preventing harm from people rather than purely making profit, making the project management practice as Shari'ah compliant would harmonise, balance and thus transform it into a more comprehensive guidance that has Shari'ah as its foundation. In other words, the western-based model project management need to be harmonised to make it in line with Shari'ah and islamic values. In addition, this will also contribute to the ongoing improvements and continuous to overcome some of malpractices, inefficiencies and unethical behaviours plaguing the construction industry. This research aims to look into the existing practice of project management as whether is in compliance or otherwise with the Shari'ah. This paper forms part of a research proposal for postgraduate study.

Keywords: *Project Management, Shari'ah Compliance, Muamalat*

2.0 Introduction

Construction sector has always been an important component of the overall Malaysian economy. It is one of the main pillars supporting the Malaysian economy as whole. To the Government of Malaysia, construction projects is often used as a mechanism for streamlining the country's infrastructure, distributing the economic wealth, developing the middle class entrepreneurs contractors, upgrading the social well being and also as an effective method of increasing public spending to stimulate the growth of the economy. All these are implemented through the continuous funding of public projects. It is often understood that when public projects are being implemented, the private counterparts in the construction industry are benefiting too.

Construction Industry Development Board Malaysia (CIDB) statistics has recorded that more than RM 312 billion worth of projects has been awarded to contractors between January 2007 until Disember 2010 alone. This was undeniably a huge sum of money. Government projects is worth RM 127 billion or is made of 41.0% from overall projects value which is a significant portion. This statistics also indicate the large magnitude of the construction industry in Malaysia.

However, given the huge value of construction projects, unlike the phenomenal progress and success in applying *Muamalat* in banking, finance and insurance sectors, projects continuously be implemented through conventional method for example using conventional procurement and project management. So far there is no concrete research or studies has been undertaken to determine as whether the current construction contracts comply or otherwise with the Shari'ah (Khairuddin, Siti Nora Haryati, 2008).

Islam acknowledges the importance of commercial transactions in fulfilling the needs of human being. The Shari'ah has been defined by Mohamad Akram Ladin (2006) in Siti Nora Haryati (2008) as the Islamic teaching and system as guidance to regulate all human actions in *Ibadah* (personal worship to God) and *Muamalat* (mutual dealings). Under the Shari'ah, what is good and bad is determined by *Al-quran* and *Al-sunnah* as well as *ijtihad* (human reasoning) in the absence of definite and explicit answers from both textual sources (Haron Din, Hassan Salleh, Sulaiman Yasin, Sidi Ghazalba, 2003; Mohamad Akram Ladin, 2006). The objective of the Shari'ah is to secure the benefits of people and prevent people from harm (Mohamad Akram Ladin, 2006) regardless of their race, religion, geography and sex as mentioned in Al-quran (al-Anbiya:107):

And We have not sent you forth (O Muhammad s.a.w.) but as a mercy to all the worlds.

In this verse, the words "all the worlds" refers to all the inhabitants of the worlds (Sheikh Abdullah, 2006). In view of this, therefore Shari'ah is not only for Muslims, but for everybody and also one of the most important principles of Shari'ah is *Maslahah* or general welfare that is to secure the welfare of humanity, physically, morally and spiritually in this

world and hereafter. Practising the Shari'ah in our life and in our actions and activities is our obligation towards Allah and to be safe in the Hereafter.

Business transactions, which are inclusive of the exchange of commodities, buying, selling, pawn, mortgage, lending, hire, leasing, debt, etc is included as one of the branches of *muamalat* under the Shari'ah (Faizah Ismail, 1995: Abdurrahman, 1999). However, there is a clear difference between commercial transactions under Shari'ah and the conventional ones as it is not solely to gain profit but most importantly to fulfil obligations towards Allah S.w.t. and emphasising on securing benefits of people and preventing harm from people.

In *muamalat*, or business transactions, Islam underlines that the parties (as well as in other non-business activities) apply the elements of justice, moral obligation, accountability, transparency and equity (Preece and Khairuddin, 2009). These elements are indeed in line with the Islamic belief (al-iman), practices (al-amal) and value system (Preece and Khairuddin, 2009). Those values are compatible and applicable to be used whether by Muslims or non-believer.

In the context of Malaysian economy, the beginning of islamic commercial dealing is well-known and established in the areas of banking, insurances and capital market since it has been introduced in early 1980s (Preece and Khairuddin, 2009). Before that, historically, the success of Lembaga Tabung Haji which was founded in 1968, to manage pilgrimage (hajj and umrah) to Mecca for Muslims in Malaysia and at the same time be an investment entity for the depositors to gain profits from the investment in various sectors which are in line with Shari'ah, was an important breakthrough that triggered the ideas of having islamic banking and financial system for Malaysia (Ahmad Ibrahim, 2000 in Preece and Khairuddin, 2009). H. Mutallib (1990) quoted in Joni Tamkin (1999), the former Finance Minister, Dato' Seri Anwar Ibrahim announced in 1982, that the Islamic bank was; "...first in the Government's efforts to instill Islamic values into the country's economic and financial system as a replacement for the current western-based economic system".

Subsequently, Takaful Act 1984 was materialised to be the basis of Shari'ah compliant insurance and also Islamic Banking Act 1984, marked the vital turning point and pioneering the establishment of Islamic financial system in Malaysia (Preece and Khairuddin, 2009).

The success of islamic banking and financial performance has also positively effected other sectors in the economy such as the construction industry for example in project and property financing that are now using more islamic-based financing facilities even among non-muslim clients. Islamic financing such as al-bay bithaman ajil (deferred sale contract for buying properties), al-mudharabah (profit sharing contract), al-istisna' (manufacturing contract) and sukuk (islamic bond) is now common and preferred way of loan and financing (Preece and Khairuddin, 2009).

The current Project Management approach which is based originally from The Project Management Body of Knowledge (PMBOK Guide) modules from the Project Management Institute (PMI), USA is western-based and does not incorporate the Islamic principles laid down under the Shari'ah therefore from the Islamic perspective, it is incomplete and there is a

gap and hole due to the lacking of Islamic values. As Islam and Shari'ah promote principles of justice, moral obligation, accountability, transparency and equility and emphasising on securing benefits of people and preventing harm from people rather than purely making profit, making the project management practice as Shari'ah compliant would harmonise, balance and thus transform it into a more comprehensive guidance that has Shari'ah as its foundation. In other words, the western-based model project management need to be harmonised to make it in line with Shari'ah and Islamic values.

Islam has created a unique management paradigm that nurtured civility, prosperity, diversity and happiness among the people of different creeds and ethnic origins around the globe for more than 1000 years (Abdus Sattar Abbasi, Kashif Ur Rehman, Amna Bibi, 2010). The need for exploring and promoting Islamic principles and values is also emphasised by Abbasi et al. (2010) as Islamic perspective on management studies is an important area of research for modern management scholars.

In addition, making the project management to be Shari'ah compliant is also an attempt to overcome some of the inefficiencies, malpractices and unethical behaviours plaguing the construction industry and therefore would lead to greater transparency. It is also an effort to further improve our project management conventional approaches and practices as Islamic management has some unique features which are not present in conventional management, and which made the Islamic management more applicable and acceptable to people (Khaliq Ahmad, Rafikul Islam, Yusof Ismail (2011).

Khaliq Ahmad et al. (2011) emphasises that Islamic management is so much essential for a Muslim that covers all aspects from his personal life to international relationship and other affairs, which ensures welfare in this world and exception in the life hereafter. This research aims to examine the current practice of project management as whether in compliance with Shari'ah principles or otherwise and subsequently making recommendations to make it Shari'ah compliant. One Islamic model that can potentially be explored for this research is *Al-Muamalat*. For the purpose of this research, current project management is referring to project management as practiced by Jabatan Kerja Raya Malaysia.

3.0 Literature Review

3.1 Project Management

The 1950s marked the beginning of the modern Project Management era where core engineering fields come together working as one. Project management became recognized as a distinct discipline arising from the management discipline with engineering model (David I. Cleland, Roland Gareis, 2006).

The International Project Management Association (IPMA) was founded in Europe in 1967 (Bjarne Kousholt, 2007), as a federation of several national project management associations. IPMA maintains its federal structure today and now includes member associations on every

continent except Antarctica. IPMA offers a Four Level Certification program based on the IPMA Competence Baseline (ICB).

In 1969, the Project Management Institute (PMI) was formed in the USA (L. Harrison, Dennis Lock, 2004). PMI publishes A Guide to the Project Management Body of Knowledge (PMBOK Guide), which describes project management practices that are common to "most projects, most of the time." PMI also offers multiple certifications. PMBOK Guide is currently used worldwide in managing various type of projects of all kind of nature.

"Project management is the body of knowledge concerned with principles, techniques, and tools used in planning, control, monitoring, and review of projects" (Business directory.com).

PMBOK Guide has defined project management as; *"the application of knowledge, skills, tools and techniques to project activities in order to meet or exceed stakeholder needs and expectations from a project"*. The PMBOK has defined project management knowledge and practice into nine(9) knowledge areas in The Project Management Knowledge Areas which are as the followings:

- Project Integration Management
- Project Scope Management
- Project Time Management
- Project Cost Management
- Project Quality Management
- Project Human Resource Management
- Project Communications Management
- Project Risk Management
- Project Procurement Management

PMBOK Guide is currently used worldwide in managing various type of projects of all kind of nature. Jabatan Kerja Raya Malaysia (JKR) also has been using PMBOK Guide as its key source of project management reference.

3.2 Issues and Challenges in Construction Industry and Project Management

The construction industry has been long accused for poor performance, adversarial atmosphere and notorious disputes (Barlow, 2000). There has been a long time 'illness' spread out all over the industry. *'Construction projects are often plagued with delays, cost-overruns and shoddy workmanship'* (Feldman, 2006). There are a lot of issues associated with it, jeopardizing and contributing to the long years of underperformed construction industry. Among those common problems are delayed projects, cost-overruns, poor quality, these then lead to disputes among parties particularly between clients and contractors, late payments and non-payments issues and others (Muhamad Rosdi Senam, Rapih Mohd. Zaini, 2010).

In addition, construction project is observed as the most complex and adverse business among many other industries, (Tey Kim Hai, Syuhaida Ismail, Aminah Mohd Yusof, 2011).

This can be explained by the uniqueness of construction project as it involves myriads of numerous parallel activities which are interrelated, dependencies, tasks and work packages. With these complexities, construction projects are not uncommon suffered from high fragmentation, large waste, poor productivity, cost and time overruns as well as claims and disputes for a long time (Xue et. Al, 2005 in Tey Kim Hai, Syuhaida Ismail, Aminah Mohd Yusof, 2011).

The Malaysian construction industry is not exempted from this global phenomenon. In 2005 for example, about 17.3% of 417 government projects were considered 'sick projects' which were either more than 3 months delayed or abandoned (Sambasivan and Soon, 2007). That means referring to that case alone, one in every five public projects in Malaysia is delayed and thus problematic. This scenario is believed to continuously existing and to some extent is worst as other worsening factors have emerged in the recent years as compared to the past such as incompetency and inexperienced contractors but that were awarded projects, low quality of foreign construction workers, inferior materials used not fulfilling the stipulated specifications and yet price is escalated over times, fraudulence and deterioration of ethics in construction industry, exaggerated claims, difficulties in project supervision and others.

There are many reasons that have been contributing to this scenario in the construction industry. Some reasons are due to the way construction projects are managed, the number of parties involved and the nature of the industry itself. Adversarial nature of the industry is due to high blame culture and each individual objective. Low bid tendering which often results 'unrealistically low contract prices' has been identified one of the major contributors to low quality, delayed public projects together with lots of cost variations, design changes, claims leading to disputes and long litigation (Malaysian Construction Industry Master Plan (CIMP), 2006).

The well known reports by Sir Latham (1994) many years ago has already highlighted that construction management practices still consists of disharmony in project teams, shortfall of teamworking and lack of coordination and deficiencies in project information.

Tey Kim Hai, Syuhaida Ismail, Aminah Mohd Yusof (2011) have identified five group of challenges currently facing the construction industry and project management through coordination that is shown the Fishbone Diagram 1 below. This diagram also highlights some of the common and typical issues in the construction project management.

In the light of those so many issues that have been going on for years and decades and continuously occurring in the construction project management and construction industry in general, continuous improvements and enhancement are inevitable. Any new attempts and efforts that will bring improvements, change or new values to the existing practices and methods in the project management and construction industry are always welcome. This will ensure the industry to progress forward.

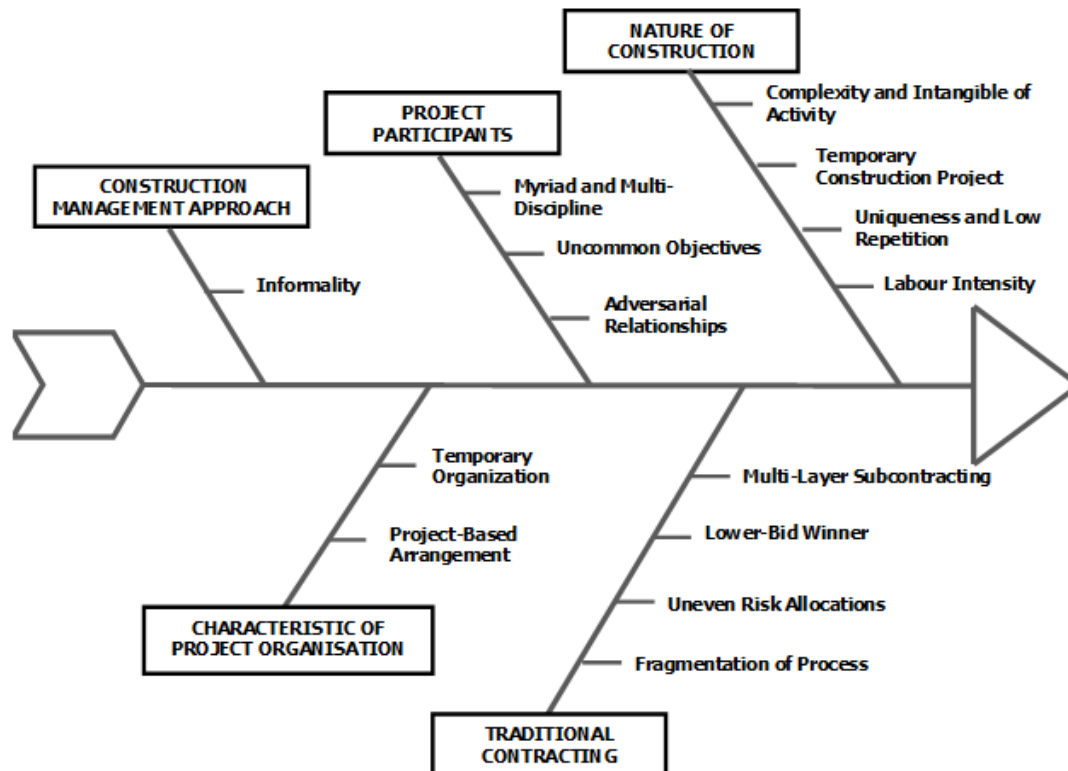


Diagram 1. Fishbone Diagram of Challenges of Construction Project Management through Coordination, (Tey Kim Hai, Syuhaida Ismail, Aminah Mohd Yusof , 2011).

As mentioned in the previous paragraph , making the project management to be Shari'ah compliant is also an attempt to overcome some of the inefficiencies, underperformance, malpractices and unethical behaviours plaguing the construction industry and therefore would lead to greater performance and transparency. It is also an effort to further improve our project management approaches and practices.

3.3 The Shari'ah

Shari'ah is an Arabic word which means "path or way to the watering place" (Mohamad Akram Laldin, 2006; Mohamad Hashim Kamali, 2006). As water is essential that provide basic needs for our life, the path towards it refers to the right path to the destination that is full of benefits and goodness (Khairuddin, Siti Nora Haryati, 2008). Mohamad Hashim Kamali (2006), says that Shari'ah means a path to seeking felicity and salvation. In religious perspective, Shari'ah is the total of Islamic teaching and system derived from Al-Quran and Al-Sunnah that indicates all different commandments of Allah to mankind (Haron Din, Hassan Salleh, Sulaiman Yasin, Sidi Ghazalbal, 2003; Mohamad Akram Ladin, 2006). Many intrepetations given by Muslim scholars in the definition of Shari'ah. A more comprehensive definiton of Shari'ah may be the one given by Mohamad Akram Laldin, 2006;

”...the total of islamic teaching an system, which was revealed to Prophet Muhammad s.a.w. recorded in the Qur’an as as deducible from the Prophet’s divinely guided lifestyle called the Sunnah...It is not law in the modern sense as it contains a comprehensive set of dogmas, legal and ethical doctrines. It is basically a doctrine of duties, a code of obligations. For this reason, legal considerations and individual rights have a minor place in it while the tendency towards a religious evaluation of all the affairs of life is absolute.”

Shari’ah is important to be implemented in human daily lives as the primary objective of the Shari’ah is the protection of five basic aspects of human life (al-Kulliyat al-Khams) which are religion, life, mind, lineage and property (Khairuddin, Siti Nora Haryati, 2008). Thus, transgression against any of these five elements is prohibited in Islam as these are the foundation of the harmonious and peaceful society mankind (Haron Din et. Al., 2003; Mohamad Akram Ladin, 2006).

3.4 The Sources and Components of Shari’ah

There are four (4) main sources of Shari’ah accepted by Muslim Scholars identified by Haron Din et. al., (2003) in Khairuddin, Siti Nora Haryati (2008);

Al-Quran ; the book contains the speech of Allah s.w.t. revealed to the Prophet Muhammad and transmitted to us,

Al-Sunnah; refers to all narration (Hadith) from the Prophet (his acts, sayings, whatever had been approved) and reports which described his physical attributes and character;

Ijma’; refers to consensus of agreement of opinion among the Muslims scholars after the life of Prophet s.a.w. on issues not determined definitely and directly in Al-Quran and Al-Sunnah and Ijtihad; continuous process of reasoning to interpret and harmonise the Divine messages with the changing nature of the life of Muslims community.

According to Mohamad Akram Ladin (2006), Shariah is divided into three(3) components which are Aqidah, Fiqh and Akhlaq. Fiqh then is divided into two(2); Fiqh al-Ibadah (governs the relationship between man and Allah s.w.t.) and Fiqh al-muamalat (covers mutual dealings among man and creatures of Allahs.w.t.). Commercial dealings, business activities and economy fall under Fiqh al-muamalat.

3.5 Concept of Shari’ah Compliant

Shari’ah compliant is not new in business and economy. As mentioned before, it is widely used, applied and accepted with great success in banking and financing sectors.

For example in Financing sector, it is defined as; “to describe financial activities and investments that comply with Islamic law, which prohibits the charging of interest and

involvement in any enterprise associated with activities or products forbidden by Islamic law”, (QFINANCE Financial Dictionary,2009).

Therefore, Shari’ah compliant refers to any activities which are done according to Shari’ah rules and standards derived from its main sources Al-Quran, Al-Sunnah,Ijma’ and Ijtihad.

3.7 Principles of Shari’ah Compliant

Conducting business transactions , activities or dealings that are to be Shari’ah compliant have to follow the principles that are guided by the sources of Shari’ah. These principles of *Muamalat* require that Muslims conduct their business transactions or activities that are in line with the Islamic belief, practice and value system (Preece and Khairuddin, 2009). Shari’ah principles of *al-muamalat* according to Muhammad Rawwas Qal’ahji (2005) as:

- Business transactions are not forbidden unless otherwise specified by the nass (textual evidence found in the Quran and Sunnah);
- The *Shar’ah* facilitates (not constraints) people in conducting their daily personal and business lives (*maslahah*);
- *Al-ihthikar* (hoarding, black marketeering) and *talaqqi al-rukban* (middle personal; not *al-ijara’* or one who serves others) leading to deception or inflated prices of goods/commodities are forbidden;
- Business transactions that involve elements contrary to the Shari’ah such as *riba* (interest charges), trading in alcohol, gambling or speculation (*Maisir*), prostitution etc are forbidden;
- Business transactions should be conducted with patience, tolerance, and with the intention to facilitate not to constraint;
- In conducting business the concepts of truthfulness, ethics, integrity and accountability must be upheld at all times;
- *Gharar* (uncertainty) such as gambling, market manipulation and harmful speculation are forbidden;
- Parties in a contract or covenant must fulfill their respective obligations. Allah’s commands on this matter is very clear thus “*O ye who believe! Fulfill the contractual obligations.*” (Al-Maida:1)
- Be diligent and persevere in conducting the businesses in such a way that all responsibilities and obligations are discharged in accordance one’s best ability.

Islam through Shari’ah therefore has a clear and comprehensive set of guidance to be followed by all Muslims in this world as Islam also is *ad-deen*; a way of life. Practising Shari’ah will not only bring benefits, goodness and prosperity to Muslims but to non-Muslims as well.

In addition, Khairuddin (2007; 2008) identified the key differences between Shari’ah compliant contract and conventional contract is in the area of faith or one’s belief system i.e. that in a Shari’ah compliant contract:

- Its validity is subjected to the divine sanctions;
- The subject matter, considerations, etc must be in conformity with the divine laws;
- Elements of usury or bribery render the contract void;
- Contracting is considered part and parcel of the religious belief and practices of the Muslims

Again, in summary, the concept of Shari'ah compliant reiterates all of the Islamic belief, practice and value system.

Therefore, in general principle, construction or project management practice that is to be in compliance with Shari'ah need to comply with the Shari'ah principles, one model of Shari'ah principles that can be emulated is *Muamalat*.

4.0 Research Objectives

The objectives of the research are as follows:

- To critically determine and identify the processes, procedures, services, activities and requirements of the standard practice project management that are currently practised in Malaysia with particular reference made, for the purpose of the research, to the project management as practised by Jabatan Kerja Raya Malaysia;
- To critically determine and identify the processes, procedures, activities and requirements of the norms or standard practice of Shari'ah *al-muamalat*;
- On the basis of i and ii, to evaluate the current practice of project management as to whether they are in compliance with the Shariah or otherwise not;
- On the basis of iii, if any parts of practices be considered as not in compliance with the Shari'ah, to make recommendations as them Shari'ah compliant;
- Upon completion of iv, finally to develop a project management practice model that is Shari'ah compliant.

5.0 Significance of Research

This research is initiated on three (3) main reasons:

- To bring change to the conventional practice in the construction industry through instilling and incorporating islamic values as part of small efforts to islamise and harmonise the industry. This is so timely, having seen the magnificent success of Shari'ah al-muamalat in islamic banking, finance, capital market and insurance in Malaysia and in the whole worl;s;
- Construction industry is so huge in size, so large in volume, be the catalyst in the economy and has influential effects across various business sectors. Should the success of Shari'ah al-muamalat ie. in islamic banking and finance, capital market and takaful insurance be duplicated and applied, this would even further prosper and bring

- the same success to the construction industry and many other business sectors up and down the chain. Eventually bring more prosperity to the people whether the Muslims or non-muslims, to the nations and spur economic growth.
- iii. It is a small effort to contribute to the body of knowledge in particular in relation to Shari'ah compliant practices and to fulfill obligation as Muslims.

6.0 Conclusion

This research aims to bring and initiate change, transformation in JKR and the construction industry in particular the Malaysian construction industry. It is also to induce continuous momentum of enhancement and empowerment to JKR as the lead technical agency in particular and the government sector in general. It is seen as a vital steps in combating bad practices, enhance professionalism; spur and prosper public projects and industry by bringing in, adopting, emulating and applying the Islamic principles into the project management practices and the construction industry. This research will contribute to the global move and efforts of Islamisation of knowledge and modern life. Lastly, as the Islamic values and practices are getting stronger and gaining wider supports across many sectors in Malaysia and around the world today and in the future, this research is paving the way to prepare and to promote the MS ISO 1900:2005 Quality Management Islamic (QMS) in the future.

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