

Contract Termination in the Construction Industry: A Systematic Literature Review

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ABSTRACT - Contract termination poses a significant threat to the successful completion of construction projects, with worst-case scenarios leading to project delays or abandonment. Wrongful terminations, particularly in cases where defaults are considered excusable such as the acts of God, can have costly legal consequences. There are several dominant causes of contract termination, and it is essential to recognize potential contractual risks at the earliest opportunity. This study provides a systematic review of contract termination causes in the construction industry across various countries, analysing articles that identified 42 key causes, categorized into financial difficulties, client defaults, contractor shortcomings, economic and marketing factors, and administrative problems, with sub-attributes such as procurement system breaches and regulatory non-compliance. The findings emphasized that contract terminations are often driven by financial mismanagement, unrealistic client expectations, poor contractor performance, and administrative failures. To mitigate these risks, the study recommends enhancing training in contract management practices, improving administrative processes, and fostering stakeholder collaboration to ensure transparency and accountability. The research highlights the need for further investigation into the role of administrative factors in contract termination and provides practical recommendations to enhance contract delivery and project success. These recommendations include suggesting providing comprehensive training in contract management practices to reduce unlawful terminations; implementing robust contract management protocols for clear communications; and developing financial planning strategies to mitigate budget deficits. The implications for both industry and academia include a call for more robust management frameworks to prevent project failures and reduce the frequency of contract terminations.

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1. INTRODUCTION

Construction projects often face unforeseen challenges and deviations from the original plan, leading to delays, disputes, and, in some cases, contract termination [1], and the termination of a contractual relationship can often come as a surprise. Construction contract termination can occur at any project stage, either in the construction or operational stage, as with Public Private Partnerships (PPPs). According to Davis and Smith [2], many construction projects face unforeseen challenges to completion because of prevailing economic conditions. For most construction projects in the Gaza Strip, the risks of contract termination since 2007 have resulted in losses, disputes, and claims [3]. Again, Ade-Ojo et al. [4] posit that a large portion of the public fund is unaccounted for at the governmental level whenever contracts are terminated because a considerable amount of capital is involved. Despite contract termination, which has long been regarded as a critical topic and is studied widely in the mining and energy sectors, this research area is still under-explored within the construction field. This study aims to synthesize the previous research on construction contract termination. To critically review the literature on the various causes influencing contract termination. The protocol of systematic review and content analysis was used to identify causes and establish a causal structure behind construction contract termination. This provided an insight into the key reasons for contract termination from the views of all parties and issues involved.

2. CAUSES INFLUENCING CONSTRUCTION CONTRACT TERMINATION

The causes of contract termination have been researched over many construction projects, from small to large. The most common ones have notably occurred in warzone construction contracts, road works, stadium developments, public-private partnership (PPP) projects, and research and development projects (R&D). In terms of causes, [5] grouped these grounds as reasons; [6] interviewed quantity surveyors in Ghana and found some indicators. Elliot [7] identified them as contractual provisions relating to termination, and [4] referred to them as the causes responsible for construction contract termination. Wilson and Hadikusum [8] surveyed road project termination in Nigeria and found seven reasons: site conditions problems, budgetary problems, contractor's incompetence, design errors, lack of resource materials, and poor project estimates and claims. [9] found some principal causes, which included strategic issues, economic, environmental, operational, behavioral, and organizational, as dominant causes for terminating research and development (R&D)

contracts. [10], in another research, described Tripple Point's (contractor) failure to make progress and persistent delay of work over a dispute of claims by PTT (Tai Oil and Gas Company). Through a multi-case analysis, [11] determined several causes influencing the early termination of PPP projects. These causes included (1) government decision error, (2) government payment default, (3) inaccurate demand forecast, (4) competitive projects, (5) insufficient financing capacity, (6) change in market demand, and (7) public opposition. Furthermore, Vietnam committed to abide by the findings of [12] research on the different kinds of contracts and the rules governing their enforcement. They identified similar circumstances as the primary causes of the work cancellation, such as a party's bankruptcy and the contractor's refusal to work for fifty-six (56) consecutive days. [13] and [14], based on their construction contract experience, found two causes of termination: (1) termination triggers due to technical issues and (2) economic and marketing reasons. The following explanations were provided by [15] in their research on three case studies of projects in Sri Lanka: (i) inability to pay labor, subcontractors, and material suppliers; (ii) inability to complete the work without valid reason; (iii) impropriety and subpar performance; (iv) refusal to comply with applicable laws or regulations; and (v) consistently disregarding health and safety procedures.

3. METHODOLOGY

The study employs a systematic literature review methodology, chosen for its ability to synthesize existing research comprehensively on contract termination in the construction industry [16]. The protocol is also adopted by similar prior research in construction project management, including [17], [18], and [19]. This approach ensures an objective identification and categorization of key causes, offering a structured and replicable research framework. The systematic literature review was conducted following the PRISMA (Preferred Reporting Items for Systematic Reviews and Meta-Analyses) guidelines to ensure transparency and reproducibility. This process is illustrated in Figure 1.

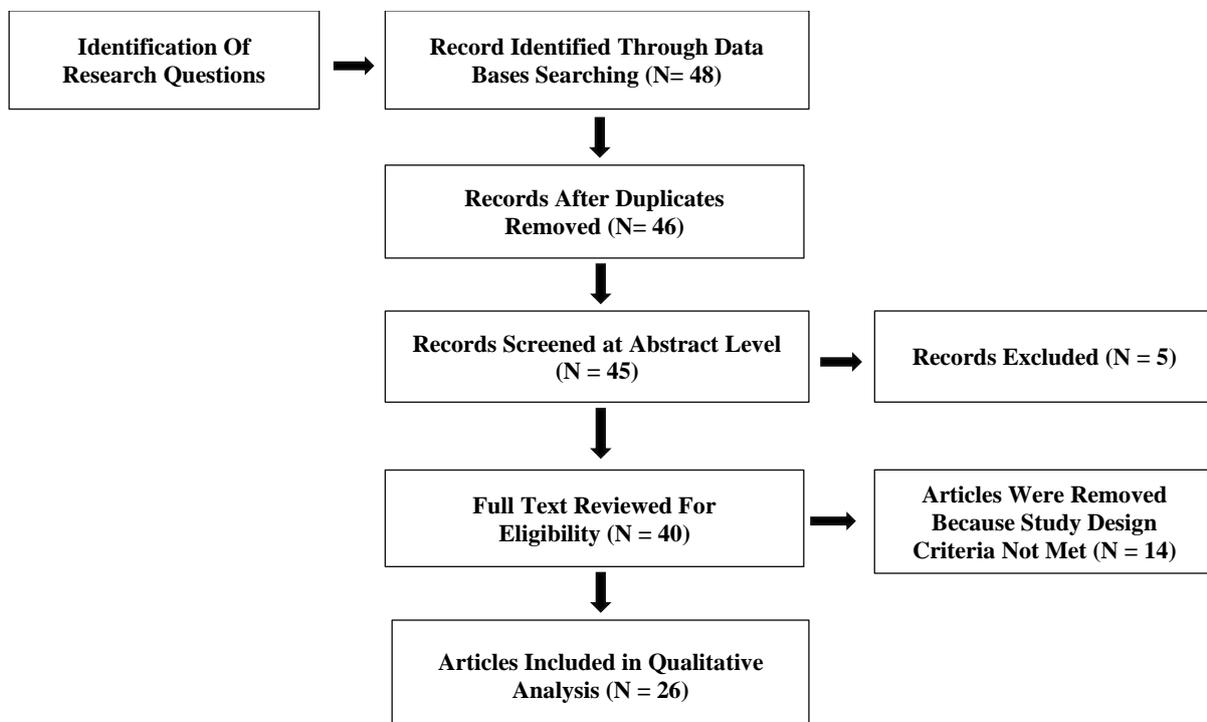


Figure 1. Protocol of the systematic review

The study began with a broad search strategy that included both peer-reviewed journal articles and industry reports. A combination of Boolean operators and keyword searches was applied to databases such as Google Scholar, ResearchGate, Scopus, and Web of Science. Search terms included “construction contract termination”, “contract cancellation in construction”, “causes of contract termination” and “project failure due to contract disputes”. Initial searches yielded 48 articles, and after applying inclusion and exclusion criteria, 26 relevant articles were selected for further analysis.

Each selected article was subjected to content analysis, a technique used to systematically categorize textual information into meaningful themes. Through this approach, the study identified 42 key causes of contract termination, grouped under five primary categories: Financial Difficulties, Client Defaults, Contractor Shortcomings, Economic and Marketing Factors, and Administrative Problems. The categorization process was carried out iteratively, ensuring alignment with existing literature and industry perspectives.

To enhance the rigor of the study, intercoder reliability checks were performed, ensuring that the identified themes were consistently interpreted across multiple reviewers. This process contributed to the reliability and validity of the findings, reinforcing the study's credibility within the construction management domain. The study outlines 42 key causes

of contract termination, categorized into five primary groups. These findings were identified through a systematic literature review methodology and analysed using content analysis. Below is the categorization of the findings under specific groups (Table 1).

Table 1. Categorization of contract termination causes

Category	Causes Identified	Total Causes
Financial Difficulties	Budget deficits, High-interest rates, Poor cost planning, Cash flow problems, Contractor insolvency	5
Client Defaults	Late payments, Awarding contracts to the lowest bidder, too many project variations, Poor risk mitigation strategies, Misuse of project budget	5
Contractor Shortcomings	Poor workmanship, Failure to make progress, ignoring engineer's instructions, Poor quality of work, Failure to pay subcontractors and suppliers, Incompetence in contract execution	6
Administrative Problems	Procurement system breaches, Unachievable technical project goals, Legal proceedings due to conflicts, Lack of contract management experience, Poor compliance with regulatory frameworks, Mismanagement of project funds	6
Economic & Marketing Factors	High project costs, Loss of economic value, long project durations, Low marketing potential, High price volatility, Market risks	6
Other Secondary Causes	Economic instability, Contractor bankruptcy, Project abandonment, Corruption, Fraud, Poor health & safety compliance, Delayed mobilization costs, Regulatory problems, Conflicts due to mismanagement, Lack of stakeholder coordination, Legal disputes, Inadequate risk assessment, Inflation impact	14
Total Causes Identified	42 Causes	42

Additionally, the study identified other secondary causes (14 Causes) from various case studies, including unforeseen economic instability, contractor bankruptcy, project abandonment, corruption, fraud, poor health and safety compliance, and conflicts due to mismanagement.

4. RESULTS

A literature review was mainly used to achieve this aim through the in-depth review of academic journals, conference proceedings, industry publications, and relevant websites. Table 2 is a breakdown of previous research from 10 national projects selected from the literature review. The total number of causes identified in the 26 articles totaled 42 causes. An attempt was made to remove repetitive causes by merging them into similar meanings. Different causes of contract termination are classified under the following categories: administrative problems, financial difficulties, client defaults, contractor shortcomings, and economic and marketing factors. These have been further represented according to the 'headline' common causes influencing contract termination, as summarized in Figure 2.

The tables in the paper systematically categorize and analyze causes of contract termination in construction projects. Table 1 groups 42 causes into five main categories: Financial Difficulties, Client Defaults, Contractor Shortcomings, Administrative Problems, and Economic & Marketing Factors, detailing specific issues like budget deficits, poor workmanship, procurement breaches, and market risks. Table 2 presents findings from studies across different countries, summarizing causes, research methods, and data sources. Tables 3 and 4 compile overall causes identified in previous research, showing their frequency across various studies. Together, these tables provide a comprehensive overview of factors influencing contract termination, highlighting key trends and global perspectives.

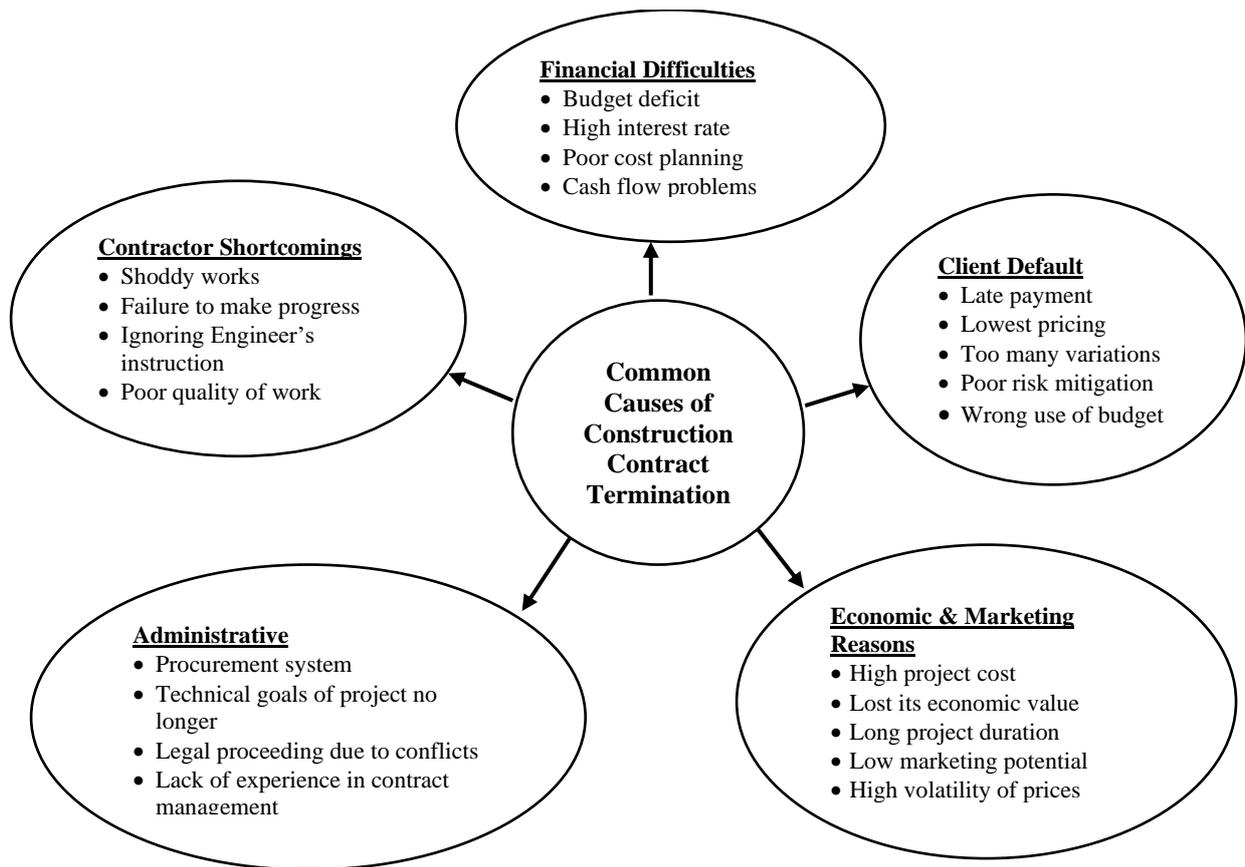


Figure 2. Common causes determining construction contract termination
Source: Authors' Own Construct (2024)

Table 2. Typical causes of construction project contract termination from different countries

Author(s)	Country	Causes of termination	Methods	Number of causes identified	Sources of data
[20]	Malaysia	Act of God, natural disaster, delay in site possession, commitment of involved parties	Case study, questionnaire, observation, structured interview.	8	15 both Contractors and clients
[21]	Gaza Strip	Lack of resources, contractors' bankruptcy, rising cost of materials	Literature review, structured questionnaire.	51	73 Contracting companies.
[6]	Ghana	Administrative issues, technical issues, financial issues, third-party issues	Literature review, interview	13	17 Contract managers and quantity surveyors in public sectors
[15]	Sri Lanka	Breach of contract, Contract disputes, legal restrictions and injunctions, material breach	Literature review, case study, Nvivo software	15	Apartment building, hotel building (public and private)
[8]	Nigeria	Site conditions, budgetary problems, contractor incompetence	Literature review, Questionnaire survey, Analysis 82 questionnaire survey	25	Sixty road projects were randomly sampled.
[22]	India	Pre-mature abandonment, failure to conform to test result, loss of expected economic value, change in external environment	Literature review, Questionnaire, interview	6	Public and Private sector companies
[4]	Nigeria	Multiple design errors, funding shortage, failure of prompt payment, workers strike	Case study, qualitative & quantitative design	13	16 Local Government areas. 660 Contracts involved in the study.
[23]	China	Negligence of project company, lapse of government, force majeure, project company fault.	Literature review	6	35 PPP Infrastructure projects
[24]	China	Government defaults-wrong decisions, lack of a PPP experience	Literature review, multi-case study, and factor analysis	11	23 PPP projects
[25]	Indonesia	High material cost, unreliable time estimation, slow decision-making by stakeholders	SWOT analysis, Direct interview, Analysis 30 questionnaire survey	47	Small-scale contractors

Table 3. Overall causes of construction contract termination from previous research

Causes	[15]	[4]	[5]	[6]	[26]	[10]	[2]	[27]	[28]	[29]	[3]	[21]	[26]	[24]	[30]	[13]	[31]	[32]	[9]	[12]	[8]	Total	Wilson et al., (2015)	Total	
High-interest rates		x									x		x		x							4	x	3	
Cash flow problems				x										x	x								3		3
Contractor insolvency	x		x	x	x			x		x		x											7		7
Poor quality work	x		x	x	x	x				x		x	x								x		9	x	10
Delayed payments	x	x	x	x		x	x		x	x	x		x					x					12		9
Too many variations				x														x					4		3
Time/ cost overrun	x							x	x		x			x						x			6	x	6
Low market potential													x	x		x				x			4		5
Project lost its value								x			x					x				x			5	x	5
Corruption or fraud	x	x	x									x									x		5	x	4
Legal proceeding due to conflicts	x	x		x	x													x					5		5
Funds embezzlement & misappropriation		x																					1	x	2
Low market potential and high threat		x		x																			2		2
Delay of mobilization cost		x												x									2		4
Mismanage of project cost					x																		1		
	x														x			x					3		
Failure to make progress	x			x		x	x			x		x	x					x					8		9
Projects abandonment			x	x	x	x	x	x											x				7	x	8
Failure to pay sub-contractor	x	x		x			x																4		5
Death or disability of sole proprietorship		x									x												2		1
Failure to comply with specifications	x		x				x											x			x		5		3
Failure to respond to engineers' warnings				x		x																	2		2
Incompetent contractor			x		x										x		x				x	x			2

Table 3. (cont.)

Causes	[15]	[4]	[5]	[6]	[26]	[10]	[2]	[27]	[28]	[29]	[3]	[21]	[26]	[24]	[30]	[13]	[31]	32]	[9]	12]	[8]	Total	Wilson et al., (2015)
Fragile financial environment	x							x			x	x							x	x	x	7	6
Terrorist attack/war										x	x											2	3
Inflation & local currency exchange				x				x		x		x	x									6	6
Awarding a contract to the lowest price																	x				x	2	1
Unforeseen and improper risk mitigation	x							x									x					3	3
Unqualified stakeholders												x	x						x			4	4
Wrong use of project budget		x																		x	x	3	2
Change in competitive factors or market needs								x											x			2	3
Force majeure														x								1	3
Unstable economic situation influences the budget								x				x	x						x			4	4
Change of executive leadership		x																	x			2	2
Conflict and war									x	x		x	x								x	5	4
Regulatory problems															x						x	2	
Time-related factors						x									x							2	
Location-related factors																							
Mismanagement of project																					x	1	
Poor health & safety	x		x				x								x							4	4
Contractors refuse to submit the work program				x	x		x															3	4
Contractor refuses to follow applicable law	x	x					x															3	6
End user consideration		x									x			x								3	2
Total	14	13	8	13	7	6	8	9	4	7	8	9	9	6	5	2	7	4	8	5	7	160	

Source: Authors' (2024)

5. FINDINGS

From the systematic review, the study identified multiple factors influencing contract termination in the construction industry. Financial difficulties emerged as a critical cause, with issues such as budget deficits, high-interest rates, cash flow problems, and mismanagement of project funds frequently leading to contract terminations. Delayed payments from clients, contractor insolvency, and poor cost planning were also identified as common financial challenges that result in project abandonment and contractual disputes. Client defaults were another significant factor affecting contract termination. Many terminations were linked to clients' inability to meet financial obligations, unclear project specifications, and frequent scope changes. Unrealistic client expectations, poor risk mitigation strategies, and procurement system breaches also contributed to premature contract cancellations. Some studies highlighted cases where economic instability and inflation negatively impacted clients' financial capacity, resulting in projects losing their viability.

Contractor shortcomings played a crucial role in contract terminations, with common issues including poor workmanship, failure to meet project deadlines, and non-compliance with contract specifications. Incompetent contractors, disputes over variations, and an inability to complete work due to financial constraints were frequently observed causes of project failure. Ignoring engineers' instructions, failing to mobilize resources, and refusal to comply with legal or regulatory requirements further exacerbated the risk of termination. Administrative problems, such as weak contract management, regulatory non-compliance, and procurement system failures, were also major contributors to contract termination. Poor governance frameworks, lack of experience in contract administration, and legal proceedings due to contractual conflicts were identified as critical administrative challenges that often led to disputes and eventual contract terminations.

Economic and marketing factors, including high project costs, inflation, fluctuating material prices, and changes in market demand, were also found to influence contract termination. Some projects were abandoned due to diminished economic value, while others faced delays or cancellations due to unforeseen financial risks and unstable economic conditions. In certain cases, prolonged project durations and low marketing potential made it unfeasible for clients and investors to continue with construction works.

6. DISCUSSION

This section provides a comprehensive discussion of the most frequently identified causes of contract termination, analyzing their prevalence, underlying factors, and the impact on construction projects.

6.1 Financial Difficulties

The client's poor financial management and the contractor's cash flow problems have been identified as causes of contract termination in seven out of twenty-six articles. Several financial-related causes that lead to this issue include delay of payment by the owner [32], contractor invalid claims, delay in valuation and certification of interim payment by consultant, and inaccuracy of valuation of work done [33]. Previous research shows that client withholding interim payment has resulted in project abandonment by the contractor. In the similar studies, fund mismanagement, inadequate budgetary allocation, inadequacy of finance, inflation and bankruptcy of contractor were cited as the most significant causes of abandoned projects [15, 27]. Whereas, abandonment of projects has been listed as worst-case scenario of contract termination [6, 36].

6.2 Client's Defaults

Client-related causes of contract termination are numerous issues. Lack of financial capacity by the client starts to show during project implementation, and substantial changes in the project continue due to the client's lack of experience. Unclear specifications and unrealistic client requirements may become too costly. Karriri et al. [3] discussed that clients' related causes—Israel invasion, imposed closure in the Gaza Strip, clients' insolvency; clients' bad financial situation, and the location of some projects in hot regions—were categorized as dominant drivers for contract termination in construction projects. Coleman et al. [6] interviewed 17 quantity surveyors and contract managers in Ghana. The interviewees of that study opined that some contractors are in a situation where they have to deal with clients who persistently changing project scope, pay extremely late or simply avoid paying their employees entirely.

6.3 Economic and Marketing Factors

Kartam [34] assessed construction risk in Kuwait and found project delay among the dominant risks. Project delay impacts the client's facility operational revenue generation and the contractor's profit margin. [35] studied the causes of project delays in Ghanaian state housing construction. They found delayed payment of work done, late payment to suppliers, inflation in the market, price increases in materials, inadequate funds from clients, multiple design changes, and poor financial inflow as significant problems. Mac-Barango [36] revealed that the economic downturn that hit Asian countries in the mid of 1980s is believed to be one of the actual reasons for several projects' abandonment. The recession had a constant adverse effect on the prices of construction materials, real estate sector, and labour marketing [37], making it impossible for construction business to thrive.

6.4 Administrative Problems

Administrative issues encompass a wide range of factors, including the procurement process, contract management, regulatory frameworks, and organizational policies, all of which significantly influence project success or failure. Existing studies have identified various administrative issues such as procurement breaches, contract management challenges, lack of accountability, weak regulatory frameworks [38], unrealistic expectations, overzealous advocacy, unclear success criteria and organizational dysfunction [39] as significant factors influencing project outcomes and potentially leading to contract termination [4,13]. The event of death of sole proprietorship, lack of experience in contract management and mismanagement of project leading to excess cost and time overrun were found in study by [6].

6.5 Contractor's Shortcomings

The cause of contract termination may occur if a contractor has failed to perform the contractual obligations agreed to by both parties [15]. For example, the contractor blatantly refuses to hire trained and skilled staff or pay subcontractors and material suppliers. Likewise, if the subcontractor refuses to correct or replace defective work done or disregards the law of any public authority having jurisdiction. In 1998, three contracts were terminated in the UK between 2001 and 2003 based on the contractor's poor performance and late delivery [40]. According to [40] the reasons were contractor's not working according to work programme, poor performance and late delivery of the project. Again, lack of willingness of contractors in adhering to client instruction can lead to contract termination and if contractor workers are not appropriately qualified, skilled, and experienced in their respective trades or occupations, this brings contract agitations [6].

7. CONCLUSION

In conclusion, this study comprehensively explores the causes influencing contract termination in construction projects. The findings underscore the multifaceted nature of contract termination, with financial difficulties, administrative problems, client defaults, contractor shortcomings, and economic and marketing factors emerging as key determinants. The prevalence of financial constraints underscores the importance of proactive financial management and risk mitigation strategies for clients and contractors. Client-related challenges, including inadequate planning, unrealistic expectations, and variations in project scope, emphasize the need for clear communication, stakeholder engagement, and robust project governance mechanisms. Economic and marketing factors, such as market volatility, inflation, and changes in competitive dynamics, underscore the importance of adaptability and resilience in navigating uncertain business environments. Administrative problems such as procurement breaches, mismanagement of project costs, and non-compliance with regulatory frameworks significantly contribute to contract failures. These findings demonstrate the need for better financial management, clearer project governance, and strong administrative controls. Effective contract administration, coupled with proactive planning and stakeholder communication, is essential to mitigating risks and ensuring project success.

8. RECOMMENDATIONS

This study, therefore, offers recommendations to improve efficient contract delivery on projects. It suggests providing comprehensive training in contract management practices to reduce unlawful terminations, implementing robust contract management protocols for clear communications, and developing financial planning strategies to mitigate budget deficits and potential funding gaps. Collaboration among stakeholders is emphasized to foster transparency and accountability. Further research is recommended to deepen understanding and develop innovative solutions.

Moreover, to minimize contract terminations, this study recommends providing training in contract management, particularly focusing on administrative processes such as procurement and project cost management. Ensuring adherence to procurement procedures and regulatory frameworks is crucial. Additionally, implementing strong project governance and financial oversight protocols will prevent wrongful terminations and improve project outcomes. Collaboration among stakeholders, transparency, and accountability should be emphasized, with special attention given to administrative compliance throughout the project lifecycle.

9. RESEARCH IMPLICATION

The findings of this study have important implications for both academia and the construction industry. From a research perspective, this study highlights the need for further investigation into the role of administrative factors such as procurement system breaches, mismanagement of project costs, and non-compliance with regulatory frameworks as significant contributors to contract termination. Future studies could explore more detailed frameworks for managing these administrative issues to prevent project failures ultimately resulting in contract cancellations. Additionally, the study opens avenues for examining the interaction between a client's default, financial difficulties, contractor shortcomings, and economic and marketing factors in contract termination. Understanding these several challenges can inform strategies to mitigate risks, offering a foundation for the development of robust contract management frameworks that address both technical and managerial aspects of project delivery. For the construction industry, this research emphasizes the need for practical improvements in contract management training, particularly regarding administrative and financial management. Stakeholders should also focus on improving early detection mechanisms for potential termination risks, enhancing

communication, and ensuring compliance with applicable law and regulatory standards. By addressing these factors, construction professionals can significantly reduce the frequency and impact of contract terminations, leading to more successful project outcomes.

AUTHORS CONTRIBUTIONS

Charles Egyabeng Coleman: Conceptualization, Methodology, Writing-Original draft preparation.

Erastus Misheng'u Mwanaumo: Supervision, Conceptualization.

Mundia Muya: Supervision, Conceptualization.

Rahimi Abdul Rahman: Supervision, Reviewing and Editing.

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DATA AVAILABILITY STATEMENT

All the literature review articles data generated or used are properly cited and included in the research work.

CONFLICTS OF INTEREST

The authors declare no conflict of interest.

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