

BCN 3700

Construction Contracts

Fall 2015

Prerequisites: BUL 4100

3 Credits

DESCRIPTION:

Study of the organization and functioning of the construction industry based on principles of contract law, and the application of contract law to construction contractual relationships.

OBJECTIVES:

This course is the first in a series of Construction Management courses and is designed to teach basic legal principles involved in the building of a construction project. "Contracts" provides a general understanding of contractual relationships in the construction industry, and the most common forms of contractual relationships between the owner, designer, contractor, subcontractor and supplier. This course will include a close examination of basic principles of **CONTRACT LAW**, the AIA contract documents, and certain alternative forms of contracts. The relationship of each contracting party to the other will be identified and remedies to balance the risks involved in construction will be discussed.

COURSE LEARNING OUTCOMES:

Upon completion of the course students will be able to demonstrate their ability to:

1. Understand the theory of contract law and its origins. (SACS 4, ACCE SLO 17)
2. Understand the roles and legal obligations/requirements of the procurement process. (SACS 4, ACCE SLO 17)
3. Understand construction lien law and the rights and duties of the contractor. (SACS 4, ACCE SLO 17)
4. Understand the nature and character of insurance and bonds. (SACS 4, ACCE SLO 13, 17)
5. Be able to perform the subcontractor and vendor pre-qualification process. (SACS4, ACCE SLO 17)
6. Write construction contracts while addressing issues of ambiguities, and implied duties. (SACS 4, ACCE SLO 1, 17)
7. Be aware of the ethical questions that arise in contract formation and execution. (SACS 4, ACCE SLO 6)
8. Understand the dispute Resolution process (SACS 4, ACCE SLO 17)

SACS = Southern Association of Colleges and Schools

ACCE = American Council for Construction Education

SLO = Student Learning Outcome

SACS 4: Survey and quantify building components to estimate project costs, analyze progress, and control expenditures.

ACCE SLO 1: Create written communications appropriate to the construction discipline.

ACCE SLO 6: Analyze professional decisions based on ethical principles.

ACCE SLO 17: Understand the legal implications of contract, common, and regulatory law to manage a construction project.

ASSESSMENT

Assessment	SLO 1	SLO 2	SLO 3	SLO 4	SLO 5	SLO 6	SLO 7	SLO 8
Semester Exams	#1	#1	#2	#2	#3	#3		
Final Exam							X	X

Assessment	Target
Semester Exams	At least 80% receive a C- or higher
Final Exam	At least 80% receive a B- or higher

TEXT:

Bartholomew, Stuart H., Construction Contracting: Business and Legal Principles, Prentice-Hall, 2002, Latest Edition.

CLASS POLICIES:

Class participation is a **VERY** important aspect of this course. Each student is expected to attend every class, be on time and in their seat and ready for the lecture. Quizzes and attendance will be given on a frequent basis! To receive any consideration for any absence the student is responsible for notify the instructor before the event causing the absence. Exceptions will apply only to unforeseeable events. The student is expected to conduct him/herself in a professional manner. Disruptive conduct in the class will not be acceptable. The instructor is NOT responsible for any electronic failures. Email test responses are NOT acceptable.

Point Allocation:

There will be 4 examinations carrying a value of	400 points.
In addition to the exams, as mentioned above, frequent attendance quizzes will be given. Approximate point value	100 points.
School Activities	100 points
TOTAL	600 points

The first exam will be essay in nature. The final three exams will be short answer. Grading: Will be based on the Rinker School UG Course Standard Grading Scale, Effective Summer 2009. (See Handout)

HONOR CODE

On all work submitted for credit by students at the university, the following pledge is either required or implied: **“On my honor, I have neither given nor received unauthorized aid in doing this assignment.”** The University’s STUDENT CODE OF CONDUCT and the STUDENT HONOR CODE Policy are in full force and effect.

The student is responsible to document and account for all quizzes, tests, exams, in-class exercises and all other material that may affect the grade. **THE STUDENT IS RESPONSIBLE FOR MAINTIANING THE ACCURACY OF THEIR GRADE.**

Grade appeals regarding examinations must be made within 1 class day following the day the exam is returned. Appeal of the final grade is limited to the score earned on the final exam given during finals week. The instructor reserves the right to change, alter, vary or modify the course content and the scheduling of classes in order, in his professional judgment, to respond to the needs of the student. The instructor has the implied duty to exercise this right IN GOOD FAITH.

TENTATIVE COURSE OUTLINE

(subject to modification with notice)

WEEK	TOPIC	CHAPTER
1	Chapter 21,1	Documentation,Interface
2	Fundamentals of Contract Law	Offer, Acceptance, Consideration
3	Fundamentals of Contract Law	Defenses, SOF, Conditions
4	Fundamentals of Contract Law	Discharge, Remedies
5	EXAM #1	ESSAY EXAM
6	Chapter 2,20	Formation, Interpretation
7	Chapter 12,13 EXAM #2	Mistakes, Breach, Ethics
8	Chapter 3,4,	The Prime Contract, AIA’s
9	Chapter 5,6	O-C Red Flag Clauses, Labor
10	Chapter 6,7,10	PO’s, S/C Joint-Venture Agreements
11	Chapter 8,9 EXAM #3	Insurance, Bonds
12	Chapter 15,14	Diff Site Conditions, Changes
13	Chapter 11,16	Bids Proposals, DST, Ethics

14	Chapter 17	Liquidated Damages, Lien Law, Licensing
15	Chapter 19	Acceleration, Claims
16	Chapter 23	Dispute Resolution
FINAL EXAM (#4)		See Final Exam Schedule

Contact Information: email – zekecook@ufl.edu

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Office Hours: One hour before class or by appointment