

BCN 6748 CONSTRUCTION LAW

INSTRUCTOR: R. Raymond Issa, Ph.D., J.D., P.E., F.ASCE

CLASSROOM: RNK 110

OFFICE: RNK 325/338

OFFICE HOURS: By Appointment

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OBJECTIVE: To familiarize students with the U.S. legal system and the applications of various legal doctrines and rules of law to the construction industry.

PREREQUISITES: None

TEXT:

Kelleher, T.J. (Ed.) **Common Sense Construction Law: A practical Guide for the Construction Professional**, 4th Ed., John Wiley & Sons, Inc., NY, NY, 205. (Recommended)

REFERENCES: BCN 6748 Class WWW site

Sweet, J, **Legal Aspects of Architecture, Engineering, and the Construction Process**, West Publishing, Co., St. Paul, MN, 1999.

Leiby, L. R., **Florida Construction Law Manual** (Student Edition), Shepard-McGraw Hill, Co, 1998.

Cushman, R. F., and Hedemann. G. C., and King, P.J., Editors, **Construction Contractor's Handbook of Business and Law**, John Wiley & Sons, Inc., N.Y., N.Y.

Sabo, W., **Legal Guide to AIA Documents**, 3rd Ed., John Wiley & Sons, Inc., N.Y., N.Y.

Stephenson, J. E., **Alternative Clauses to Standard Construction Contracts**, John Wiley & Sons, Inc., N.Y., N.Y.

Callahan, M. T., Bramble, B. B., and Rapoport, F. M., **Discovery in Construction Litigation**, 2nd Ed., John Wiley & Sons, Inc., N.Y., N.Y.

Bramble, B., and Phillips, A.E., Editors, **Construction Litigation Strategies and Techniques**, John Wiley & Sons, Inc., N.Y., N.Y.

Bramble, B. B. and Callahan, M. T., **Construction Delay Claims**, John Wiley & Sons, Inc., N.Y., N.Y.

Callahan, M. T., Bramble, B. B. and Lurie, P. M., **Arbitration of Construction Disputes**, John Wiley & Sons, Inc., N.Y., N.Y.

READING ASSIGNMENTS:

Students are responsible for the contents of all reading assignments whether or not the material is covered in class.

CLASS POLICIES

Attendance

Attendance is voluntary. However, if you choose to attend, it is **mandatory** that you be on time.

Grading

The Final Exam will be comprehensive. Absentees from any graded event, without a valid excuse, will be awarded a grade of ZERO.

50% Comprehensive Test - Essay Discussion Questions

Submit/Present:

40% 1. Research paper and other assignments

10% 2. Research Presentation – Maximum 10 minutes talk including Q & A

100%

Honor Code

The University of Florida's Student Honor Code will be strictly enforced.

GRADING SCALE:

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|-------------------------------|-------------------------------|
| A = 90.0 AND ABOVE | C = 70.0 to 76.9 |
| A ⁻ = 87.0 to 89.9 | C ⁻ = 67.0 to 69.9 |
| B = 80.0 to 86.9 | D = 60.0 to 66.9 |
| B ⁻ = 77.0 to 79.9 | E = below 60 |

SYLLABUS

| <u>Week</u> | CHAPTER READING | ASSIGNMENTS | HW # | Due Date |
|--------------------|--|------------------------|-------------|-----------------|
| 1-2 | Legal Concepts Introduction to construction contracts | Read Chapters 1-5 | | |
| 3-5 | Legal Contracts & Responsibilities AIA Documents (B141, A201, A101,B901) AGC ConsensusDOCS | Read Chapters 7-10 | | |
| 6 | Liens and Bonds Documentation; Time periods; Duration Lienable Property; Enforcement; Lien Bonds | Read Chapters 11-15 | 1 | |
| 7 | Speaker 1 – Government Contracting | Read Chapter 22 | | |
| 8 | Liens and Bonds | | 2 | |
| 9 | Speaker 2 – Construction Contracts | | | |
| 10 | Insurance/Risk Management | Read Chapters 16,18-21 | | |
| 11 | Case Studies | | | |
| 12 | Comprehensive Test - Essay Format Analyzing Fact Situations | | | |
| 13 | Selected Paper Presentations | | 3 | |
| 14 | Selected Paper Presentations | | 4 | |
| 15 | Selected Paper Presentations | | | |

Note: Coverage of the syllabus material is contingent upon availability of time and student progress in grasping the subjects covered.

