

University of Florida
M.E. RINKER, Sr. SCHOOL OF CONSTRUCTION MANAGEMENT
BCN 3700 Construction Contracts, 3 Credits
 SPRING 2023 | Syllabus

Instructor: Eileen Pesantes, PhD
Office: 340 Rinker Hall
Office hours: M 12:40-1:40, or by appointment. Office hours may be conducted via Zoom.
Email: Mail tool in Canvas (preferred method)
Prerequisites: BCN 3027C – Principles of Construction Management

COURSE 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.

INSTRUCTIONAL METHODS: Class lectures, videos, quizzes, discussion, assignments, exams.

PURPOSE OF COURSE: 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 (CLOs): Upon completion of the course students will be able to demonstrate their ability to: write a basic contract based on legal principles; be able to understand the various construction contracts; understand the roles and legal obligations/requirements of the procurement process; understand construction lien law and the contractor’s rights, responsibilities and remedies; warranties, and bonds, and be aware of their importance; knowledge regarding labor law; be aware of the ethical questions that arise in construction contracts.

ASSESSMENT:

| Assessment | SLO 17 | SLO 6,17 | SLO 6,17 | SLO 17 |
|---------------|--------|----------|----------|--------|
| Semester Exam | #1 | #2 | #3 | |
| Final Exam | | | | X |

| Assessment | Target |
|----------------|--------------------------------------|
| Semester exams | At least 80% receive a C- or better. |
| Final exam | At least 80% receive a B- or better. |

REQUIRED TEXTBOOKS

Montoya, Mike and Campbell, Donald E., "Construction Contracts and Law", West Academies Publishing, 2019.

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.

COURSE GRADING (Tentative point distribution):

| | |
|--|-------------------|
| There will be 4 examinations carrying a value of | 400 points. |
| Quizzes and Assignments | 100 points. |
| Attendance | 50 points. |
| TOTAL | 550 points |

GRADING BASED ON POINTS EARNED AS A PERCENTAGE OF TOTAL POINTS

| | |
|-------------|-------------|
| A=93-100 | C=73-76.99 |
| A-=90-92.99 | C-=70-72.99 |
| B+=87-89.99 | D+=67-69.99 |
| B=83-86.99 | D=63-66.99 |
| B-=80-82.99 | D-=60-6.99 |
| C+=77-79.99 | E<60 |

UNIVERSITY POLICY ON ACCOMMODATING STUDENTS WITH DISABILITIES: Students requesting accommodation for disabilities must first register with the Dean of Students Office (<http://www.dso.ufl.edu/drc/>). The Dean of Students Office will provide documentation to the student who must then provide this documentation to the instructor when requesting accommodation. You must submit this documentation prior to submitting assignments (discussion, term paper, extra credit) or taking the quizzes or exams. Accommodations are not retroactive, therefore, students should contact the office as soon as possible in the term for which they are seeking accommodations.

UNIVERSITY POLICY ON ACADEMIC MISCONDUCT: Academic honesty and integrity are fundamental values of the University community. Students should be sure that they understand the UF Student Honor Code at <http://www.dso.ufl.edu/students.php>. The Honor Code will be applied in the class. We, the members of the University of Florida community, pledge to hold ourselves and our peers to the highest standards of honesty and integrity. 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." It is Rinker School policy that any incident of cheating, copying, or other attempts to deceive will be penalized by course failure.

STUDENT EVALUATIONS: Students are expected to provide professional and respectful feedback on the quality of instruction in this course by completing course evaluations online via GatorEvals. Guidance on how to give feedback in a professional and respectful manner is available at <https://gatorevals.ua.ufl.edu/students/>. Students will be notified when the evaluation period opens, and can complete evaluations through the email they receive from GatorEvals, in their Canvas course menu under GatorEvals. Summaries of course evaluation results are available to students at <https://gatorevals.ua.ufl.edu/public-results/>.

NETIQUETTE, COMMUNICATION COURTESY POLICY: All members of the class are expected to follow rules of common courtesy in all email messages, threaded discussions and chats. Detailed guide is available at <http://teach.ufl.edu/wp-content/uploads/2012/08/NetiquetteGuideforOnlineCourses.pdf>

GETTING HELP WITH E-LEARNING WEBSITE: In the case you have technical difficulties with e-Learning in Canvas, please contact the UF Help Desk at: Learning-support@ufl.edu; (352) 392-HELP - select option 2; <https://lss.at.ufl.edu/help.shtml> . If your technical difficulties will cause you to miss a due date/time, you **MUST** report the problem to the UF Help Desk **before** the due date/time.

CELLPHONES. Cellphone use is not allowed in classrooms. Use of cellphones during class will discount attendance. Use of cellphones during an exam will result in failing the exam.

LAPTOPS & TABLETS. These devices should only be used to take notes related to lectures. Use of these devices for social media or any other unrelated purposes during class hours will result in a penalty of 10 points for every incident.

COMMUNICATION

- Use the e-Learning in Canvas environment to send an email to the instructor and teaching assistant. Do not e-mail the course instructor and teaching assistant outside of the e-Learning in Canvas system because emails received outside of e-Learning will not receive a response. Please allow 36 hours for a response to your email. The instructor and teaching assistant reserve the right not to respond to course inquiries on the weekend.
- You are responsible for addressing grades/omissions within one week of the grade being posted on e-Learning in Canvas. After one week, the grade/input stands for the class regardless of cause or circumstance.

Note from the instructor: *The syllabus represents my current plans and objectives. As we go through the semester, those plans may need to change to enhance the class learning opportunity. Such changes, communicate clearly, are not unusual and should be expected.*