MASTER SYLLABUS

COURSE NUMBER – COURSE NAME
CMGT 389 – Construction Contracts and Law

Created by: J. Reilly

Updated by:

Canino School of Engineering Technology

Department: Civil and Construction Technology

Semester/Year: Fall 2020
A. **TITLE**: Construction Contracts and Law

B. **COURSE NUMBER**: CGMT 389

C. **CREDIT HOURS**: (Hours of Lecture, Laboratory, Recitation, Tutorial, Activity)

   # Credit Hours: 3
   # Lecture Hours: 3 per week
   # Lab Hours: per week
   Other: per week

   Course Length: 15 Weeks

D. **WRITING INTENSIVE COURSE**: Yes ☒ No ☐

E. **GER CATEGORY**: None: ☐ Yes: GER
   
   *If course satisfies more than one: GER*

F. **SEMESTER(S) OFFERED**: Fall ☒ Spring ☐ Fall & Spring ☐

G. **COURSE DESCRIPTION**:

   Legal aspects associated with the conduct of a construction project are investigated in this course. Topics include: risk and liability to the owner and general contractor under various delivery methods, typical provisions of a contract, public-owner laws, assignment of responsibility for change orders, bonding and insurance, and the effect of unethical practices on the contract award process. Case studies are employed to illustrate concepts.

H. **PRE-REQUISITES**: None ☐ Yes ☒ If yes, list below:

   CONS 274 Construction Management or CMGT 300 Construction Management, and 45 credits or more; or permission of instructor

   **CO-REQUISITES**: None ☐ Yes ☒ If yes, list below:
I. **STUDENT LEARNING OUTCOMES:** *(see key below)*

By the end of this course, the student will be able to:

<table>
<thead>
<tr>
<th><strong>Course Student Learning Outcome [SLO]</strong></th>
<th><strong>Program Student Learning Outcome [PSLO]</strong></th>
<th><strong>GER [If Applicable]</strong></th>
<th><strong>ISLO &amp; SUBSETS</strong></th>
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<tbody>
<tr>
<td>1. Describe provisions in the typical construction contract that address responsibility and liability to the various parties</td>
<td>SO 5</td>
<td>5-Ind, Prof, Disc, Know Skills ISLO ISLO</td>
<td>Subsets Subsets Subsets Subsets</td>
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<td>2. Demonstrate a reasonable mastery of the legal terms associated with construction</td>
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<td>Subsets Subsets Subsets Subsets</td>
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<td>3. Describe how owners, GCs and CMs manage their risk</td>
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<td>Subsets Subsets Subsets Subsets</td>
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<td>4. Provide actual or hypothetical examples that illustrate how our system of bid and award attempts to &quot;level the playing field&quot;</td>
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<td>5. Evaluate and describe in legal terms the possible liabilities to the various parties given an actual or hypothetical construction project dispute scenario</td>
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<td>Institutional Student Learning Outcomes [ISLO 1 – 5]</td>
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<td>1</td>
<td>Communication Skills</td>
<td>Oral [O], Written [W]</td>
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<td>2</td>
<td><strong>Critical Thinking</strong></td>
<td>Critical Analysis [CA], Inquiry &amp; Analysis [IA], Problem Solving [PS]</td>
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<td><strong>Foundational Skills</strong></td>
<td>Information Management [IM], Quantitative Lit./Reasoning [QTR]</td>
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<td>4</td>
<td><strong>Social Responsibility</strong></td>
<td>Ethical Reasoning [ER], Global Learning [GL], Intercultural Knowledge [IK], Teamwork [T]</td>
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<td>5</td>
<td><strong>Industry, Professional, Discipline Specific Knowledge and Skills</strong></td>
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*Include program objectives if applicable. Please consult with Program Coordinator*
J. APPLIED LEARNING COMPONENT: Yes ☐ No ☒

If YES, select one or more of the following categories:

☐ Classroom/Lab
☐ Internship
☐ Clinical Placement
☐ Practicum
☐ Service Learning
☐ Community Service

☐ Civic Engagement
☐ Creative Works/Senior Project
☐ Research
☐ Entrepreneurship
   (program, class, project)
K. **TEXTS:**

L. **REFERENCES:**


M. **EQUIPMENT:** None ☒ Needed:

N. **GRADING METHOD:** A-F

O. **SUGGESTED MEASUREMENT CRITERIA/METHODS:**
Assignments, Exams, Case Study Evaluations, and Oral Presentation

P. **DETAILED COURSE OUTLINE:**

I. **The Construction Process**
a. Primary Participants
b. Request for Proposal
c. Bidding
d. Award
e. Provision of the Contract

II. **Bonding and Insurance**
a. Surety
b. Bid Bond
c. Payment Bond
d. Performance Bond
e. Liens
f. Insurance

III. **Public vs Private Owners**
a. Public Laws aimed at equity
iv. Delivery Methods and Assignment of Risk
a. Traditional
b. Cost Plus
c. Guaranteed Maximum Price
d. Construction Manager

V. Handling Disputes
   a. Change Orders
   b. Performance Issues
   c. Force Majeur

VI. Impact of Ethics on Bid and Award

VII. Case Studies

Q. LABORATORY OUTLINE: None ☒ Yes ☐