



Title:	Construction Contract APPROVED
Long Title:	Construction Contract
Module Code:	BULD7027
Duration:	1 Semester
Credits:	5
NFQ Level:	Intermediate
Field of Study:	Building Science
Valid From:	Semester 1 - 2022/23 (September 2022)
Module Delivered in	5 programme(s)
Module Coordinator:	DANIEL CAHILL
Module Author:	EITHNE FARR
Module Description:	This module will give the student an in-depth knowledge of the legal and contractual administration of construction projects with specific emphasis on the contractual relationships. The various standard forms of building and civil engineering contracts will be studied in detail.
Learning Outcomes	
<i>On successful completion of this module the learner will be able to:</i>	
LO1	Distinguish between simple contracts and standard forms of construction contract from the perspectives of time, cost, quality and risk.
LO2	Demonstrate an understanding of the link between procurement strategy and contract choice.
LO3	Analyse and investigate in detail, different standard forms of construction contract to ensure a project is contractually administered and controlled.
LO4	Explain in detail how the RIAI standard form of agreement for building works is used as a means of administering and controlling a construction project.
LO5	Interpret the contractual implications of changes made to the variables in a construction project.
Pre-requisite learning	
Module Recommendations <i>This is prior learning (or a practical skill) that is strongly recommended before enrolment in this module. You may enrol in this module if you have not acquired the recommended learning but you will have considerable difficulty in passing (i.e. achieving the learning outcomes of) the module. While the prior learning is expressed as named MTU module(s) it also allows for learning (in another module or modules) which is equivalent to the learning specified in the named module(s).</i>	
Incompatible Modules <i>These are modules which have learning outcomes that are too similar to the learning outcomes of this module. You may not earn additional credit for the same learning and therefore you may not enrol in this module if you have successfully completed any modules in the incompatible list.</i>	
No incompatible modules listed	
Co-requisite Modules	
No Co-requisite modules listed	
Requirements <i>This is prior learning (or a practical skill) that is mandatory before enrolment in this module is allowed. You may not enrol on this module if you have not acquired the learning specified in this section.</i>	
No requirements listed	

Module Content & Assessment

Indicative Content

Legal framework

Sources of law. Negligence and the Law of Tort. Case law and precedent. Formation of construction contracts. Discharge of construction contracts. Breach of construction contracts. Limitations of liability on construction contracts.

Procurement strategy and Collaborative working

Recognise that an effective procurement strategy, based on the implementation of information systems and careful consideration of the wider contractual and organisational issues, is the key to delivering construction projects successfully.

Standard forms of Construction Contracts

The content of standard forms of construction contract will be examined in detail and case law related to the practical application of standard forms of construction contract. RIAI forms of contract. Engineers Ireland forms of contract, GCCC public works forms of contract. Introduction to international standard forms of contract such as JCT suite of contracts, engineering and construction contract (ECC) forms of contract and FIDIC forms of contract.

The RIAI Conditions of Contract with Quantities

In-depth examination of the clauses in the RIAI form of contract with quantities edition to allow the student to understand the implications of various clauses in terms of time, cost, quality and risk. Including examination of the articles of agreement and the appendix to the conditions. Examination of the contractual duties, responsibilities and liabilities of the parties involved in the construction process.

Engineers Ireland (IEI) Conditions of Contract (3rd ed.)

Outline of the clauses in the IEI conditions and a comparison with the RIAI form. Outline the contractual status of the contractor's programme and subcontracts.

Public Works Contracts

Outline of the GCCC suite of construction contracts including the conditions of engagement for consultants and comparison with private works contracts.

Assessment Breakdown

	%
Course Work	40.00%
End of Module Formal Examination	60.00%

Course Work

Assessment Type	Assessment Description	Outcome addressed	% of total	Assessment Date
Written Report	The student will assume the role of a contractual adviser on a construction project. They will have to respond to a series of contractual problems which they are made aware of through correspondences from other members of the design and construction team. These responses will consist of professional letters and reports.	3,4,5	40.0	Week 9

End of Module Formal Examination

Assessment Type	Assessment Description	Outcome addressed	% of total	Assessment Date
Formal Exam	End-of-Semester Final Examination	1,2,3,4,5	60.0	End-of-Semester

Reassessment Requirement

Repeat examination

Reassessment of this module will consist of a repeat examination. It is possible that there will also be a requirement to be reassessed in a coursework element.

The institute reserves the right to alter the nature and timings of assessment

Module Workload

Workload: Full Time				
<i>Workload Type</i>	<i>Workload Description</i>	<i>Hours</i>	<i>Frequency</i>	<i>Average Weekly Learner Workload</i>
Lecture	Theory on course topics and worked examples.	4.0	Every Week	4.00
Independent & Directed Learning (Non-contact)	Review of lecture notes and recommended material.	3.0	Every Week	3.00
Total Hours				7.00
Total Weekly Learner Workload				7.00
Total Weekly Contact Hours				4.00

Workload: Part Time				
<i>Workload Type</i>	<i>Workload Description</i>	<i>Hours</i>	<i>Frequency</i>	<i>Average Weekly Learner Workload</i>
Lecture	Theory on course topics and worked examples.	2.0	Every Week	2.00
Independent & Directed Learning (Non-contact)	Review of lecture notes and recommended material.	5.0	Every Week	5.00
Total Hours				7.00
Total Weekly Learner Workload				7.00
Total Weekly Contact Hours				2.00

Module Resources

Recommended Book Resources

- RIAI 2017, *Construction Contracts*
- Sarah Lupton 2019, *Which Contract? Choosing the appropriate building contract*, 6th Ed., RIBA Publishing [ISBN: 9781859468586]

Supplementary Book Resources

- Geoff Powell 2016, *Construction Contract Preparation and Management: From Concept to Completion*, 2nd Ed., All
- Dino Bouchlaghem (Editor) 2012, *Collaborative Working in Construction* [ISBN: 978-0-415-59700-5]
- RIBA 2013, *RIBA Plan of work 2013 Overview*
- Andy Hewitt 2016, *Construction Claims and Responses: Effective Writing & Presentation* Andy Hewitt
- Brian Greenhalgh 2016, *Introduction to Construction Contract Management*
- Jim Mason 2016, *Construction Law*
- Andy Hewitt 2014, *The FIDIC Contracts: Obligations of the Parties 2014*
- J. Roger Knowles 2012, *200 Contractual Problems and their Solutions*
- Mark Hackett Gary Statham 2016, *The Aqua Group Guide to Procurement, Tendering and Contract Administration*, 2nd ed Ed.
- GCCC, *Capital Works Management framework*

Recommended Article/Paper Resources

- Lexology *Various articles*

Other Resources

- Website: www.scs.ie
- Website: www.balli.ie
- website: GCCCPublic Works Contracts
<http://www.constructionprocurement.gov.ie>
- Website: CIOB information
<http://www.ciob.co.uk>
- Website: RICS information
<http://www.rics.org.uk>
- website: National procurement services/a
<http://www.procurement.ie>
- contracts: FIDIC *Current*
- contracts: JCT *Current*
- contracts: NEC *Current*
- contracts: Engineers Ireland *Current*

Module Delivered in

Programme Code	Programme	Semester	Delivery
CR_CCNMG_8	<u>Bachelor of Science (Honours) in Construction Management</u>	5	Mandatory
CR_CQTSU_8	<u>Bachelor of Science (Honours) in Quantity Surveying</u>	5	Mandatory
CR_CMNGT_7	<u>Bachelor of Science in Construction Management</u>	5	Mandatory
CR_ECTMS_7	<u>Bachelor of Science in Craft Technology - Mechanical Services</u>	5	Elective
CR_CCECO_7	<u>Bachelor of Science in Quantity Surveying</u>	5	Mandatory