

Liverpool John Moores University

Title: LAW AND PROCUREMENT SYSTEMS
Status: Definitive
Code: **4112BEUG** (118100)
Version Start Date: 01-08-2012

Owning School/Faculty: Built Environment
Teaching School/Faculty: Built Environment

Team	Leader
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Academic Level: FHEQ4
Credit Value: 24.00
Total Delivered Hours: 74.00

Total Learning Hours: 240
Private Study: 166

Delivery Options

Course typically offered: Standard Year Long

Component	Contact Hours
Lecture	48.000
Tutorial	24.000

Grading Basis: 40 %

Assessment Details

Category	Short Description	Description	Weighting (%)	Exam Duration
Test	AS1		25.0	
Essay	AS2		25.0	
Exam	AS3		50.0	2.00

Aims

To provide the students with a working knowledge of the English legal system and basic principles of the law of contract, tort and land law.

To establish the principles and the conventions for the procurement of construction work and to consider their application.

To analyse the roles of the various parties in the procurement process by

considering plans of work adopted by the Construction Industry.

Learning Outcomes

After completing the module the student should be able to:

- 1 Describe the principles and procedures of the English legal system as it relates to construction
- 2 Describe the liabilities and responsibilities of individuals in tort.
- 3 Identify the formation and scope of construction contracts.
- 4 Explain the organisation and management of work in the construction industry.
- 5 Identify the tendering process and procedures used in the Construction Industry.
- 6 Identify the role of the construction team during the procurement process.
- 7 Identify the various procurement solutions suitable for various scenarios together with the strengths and weaknesses of each solution.

Learning Outcomes of Assessments

The assessment item list is assessed via the learning outcomes listed:

Electronic assessment	5	7		
Essay	2			
Exam	1	3	4	6

Outline Syllabus

Roles of the Architect, Building Surveyor, Quantity Surveyor and Construction Manager. Roles of other built environment professionals.

Communication in the construction team.

Procurement arrangement options and documentation:

Contractual arrangements. Approaches to obtaining tenders. Procurement route selection: Simple selection procedures.

Plans of work- how construction work is organised and managed.

Legal Systems.

Court system and dispute resolutions.

Formation of contract, terms and exclusion clauses.

Performance and breach of contract.

Principles of tort.

Negligence and the built environment.

Occupier's liability.

Nuisance and Rylands v. Fletcher.

Land law and conveyancing systems.

Easements and restrictive covenants.

Learning Activities

References

Course Material	Book
Author	M. Hackett, I. Robinson & G. Statham
Publishing Year	2007
Title	The Aqua Group Guide to Procurement
Subtitle	Tendering and Contract Administration
Edition	
Publisher	Blackwell Publishing
ISBN	1405131985

Course Material	Book
Author	A. Ashworth
Publishing Year	2005
Title	Contractual Procedures in the Construction Industry
Subtitle	
Edition	5TH
Publisher	Prentice Hall
ISBN	0131298275

Course Material	Book
Author	E. Baker & R. Champion
Publishing Year	2008
Title	Tendering and Procurement in Construction
Subtitle	
Edition	
Publisher	RICS
ISBN	

Course Material	Book
Author	D. Keenan
Publishing Year	2004
Title	Smith & Keenan's English Law
Subtitle	
Edition	14TH
Publisher	Longman
ISBN	0582822912

Course Material	Book
Author	R. Morledge, A. Smith, & D.T. Kashiwagi
Publishing Year	2006
Title	Building Procurement
Subtitle	

Edition	
Publisher	Blackwell Science
ISBN	0632064668

Course Material	Journal / Article
Author	Office for Government Commerce
Publishing Year	2007
Title	Achieving Excellence in Construction Procurement Guide: Project Procurement Lifecycle – The Integrated Process
Subtitle	(Guide 3)
Edition	
Publisher	
ISBN	

Course Material	Journal / Article
Author	Office for Government Commerce
Publishing Year	2007
Title	Achieving Excellence in Construction Procurement Guide: Procurement and Contract Strategies
Subtitle	(Guide 6)
Edition	
Publisher	
ISBN	

Course Material	Book
Author	S. Owen
Publishing Year	2000
Title	Law for the Construction Industry
Subtitle	
Edition	2ND
Publisher	Longman
ISBN	0582287081

Course Material	Book
Author	J. Rostron, R. Hardy-Pickering, L. Tatham & L. Wright
Publishing Year	2002
Title	Dictionary of Property & Construction Law
Subtitle	
Edition	
Publisher	Taylor & Francis
ISBN	0419261109

Course Material	Book
Author	I.H. Seeley
Publishing Year	1997
Title	Quantity Surveying Practice
Subtitle	

Edition	2ND
Publisher	Palgrave Macmillan
ISBN	0333689070

Notes

This module aims to introduce students to the basic principles of English law and the English legal system along with the appropriate procurement and tendering systems adopted by the Construction Industry.