

Liverpool John Moores University

Title: CONSTRUCTION LAW AND PROCUREMENT STRATEGIES
Status: Definitive
Code: **6502BEUG** (116692)
Version Start Date: 01-08-2011

Owning School/Faculty: Built Environment
Teaching School/Faculty: South Cheshire College

Team	Leader
Lynne Bell	Y

Academic Level: FHEQ6
Credit Value: 24.00
Total Delivered Hours: 63.00
Total Learning Hours: 240
Private Study: 177

Delivery Options

Course typically offered: Standard Year Long

Component	Contact Hours
Lecture	48.000
Tutorial	12.000

Grading Basis: 40 %

Assessment Details

Category	Short Description	Description	Weighting (%)	Exam Duration
Exam	AS1	Examination- choice of questions	50.0	3.00
Presentation	AS2	Presentation	25.0	
Report	AS3	Report Max 1500 words - Statutory Liability in Construction	25.0	

Aims

The aim of this module is to examine the development of strategies for the procurement of construction work within the legal and contractual frameworks operating in the construction industry. A problem solving approach will be taken to consider stakeholder interests, project objectives, procurement and contractual solution options with a particular emphasis on the allocation of risk and responsibility.

Learning Outcomes

After completing the module the student should be able to:

- 1 Critically review sustainable procurement in the construction industry and the techniques available to deliver it.
- 2 Critically evaluate the relevance of European Procurement Law to the construction industry
- 3 Analyse and compare European, international and UK procurement strategies adopted by the construction industry
- 4 Evaluate the significance of the tort of negligence in the field of construction.
- 5 Analyse the importance of Statutory liability in construction.
- 6 Evaluate the various methods of dispute resolution available to the construction industry.
- 7 Evaluate the effectiveness of new construction contracts in relation to the developments in methods of procurement.

Learning Outcomes of Assessments

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

EXAM	1	4	6	7
PRESENTATION	2	3		
REPORT	5			

Outline Syllabus

Context:

The delivery of material at this level will be set in the context of a major construction project or other complex building development.

Sustainability:

Development of sustainability and its concepts. Sustainable procurement and the influence of Government guidelines. Sustainable building and sustainable construction techniques. Practical sustainable procurement at an operational level.

Procurement options:

Strategic framework development in collaborative frameworks and modern methods of procurement.

A comparison of UK procurement solutions with European and International methods.;

Implementation:

Construction law and legal issues including:

Issues in European and international procurement strategies. Developments in Engineering and Construction forms of contract including collaborative and relational contracts, Bonds and Insurances, Contract mechanisms for dispute management and resolution in Construction and Engineering, Contract strategies and procurement, Statutory Liability including Health & Safety law within the UK and

European context.

Professional and contractual negligence for construction professionals.

Learning Activities

The module will be delivered via a series of key-note lectures and tutorials.

References

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

Course Material	Book
Author	Baker, E. & Champion, R.
Publishing Year	2008
Title	'Tendering and Procurement in Construction.
Subtitle	
Edition	
Publisher	RICS.
ISBN	9781842194331

Course Material	Book
Author	Barrett P. & Stanley C.
Publishing Year	1999
Title	Better Construction Briefing
Subtitle	
Edition	
Publisher	Blackwell Science.
ISBN	0632051027

Course Material	Book
Author	Boussabaine A H & Kirkham R J
Publishing Year	2004
Title	Whole Life Costing, Risk & Risk Responses
Subtitle	
Edition	

Publisher	Blackwell Publishing
ISBN	1405107863

Course Material	Book
Author	Edwards, B.
Publishing Year	2010
Title	Rough Guide to Sustainability
Subtitle	
Edition	3rd Edition.
Publisher	RIBA Publishing.
ISBN	

Course Material	Book
Author	Galbraith.
Publishing Year	2004
Title	Galbraith's Building and Land Management Law for Students
Subtitle	
Edition	5th Edition.
Publisher	Butterworth-Heinemann.
ISBN	0750662239.

Course Material	Book
Author	Kibert, C.
Publishing Year	2007
Title	Sustainable Construction:
Subtitle	Green Building Design and Delivery
Edition	2nd Edition.
Publisher	John Wiley & Sons.
ISBN	9780470114216.

Course Material	Book
Author	Masterman, J.
Publishing Year	2001
Title	'Introduction to Building Procurement Systems
Subtitle	
Edition	2nd edition.
Publisher	Taylor & Francis.
ISBN	0415246423

Course Material	Book
Author	Morledge, R., Smith, A. & Kashiwagi, D.T.
Publishing Year	2006
Title	Building procurement'.
Subtitle	
Edition	
Publisher	Blackwell Science.

ISBN	9780632064663
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Course Material	Book
Author	Murdock and Hughes
Publishing Year	2000
Title	Construction Contracts
Subtitle	Law and Management
Edition	3rd Edition.
Publisher	Spon.
ISBN	0419253106.

Notes

This module develops an understanding of the issues underpinning decisions made about procurement strategies and construction law. The risks explicit and implicit connected to various procurement and contractual arrangements are also explored for private, public and quasi-public clients.