

## Liverpool John Moores University

Title: CONSTRUCTION LAW AND PROCUREMENT STRATEGIES  
Status: Definitive  
Code: **6508BEDA** (118732)  
Version Start Date: 01-08-2011

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

| Team         | Leader |
|--------------|--------|
| Edward Kirke | Y      |
| Amr Sourani  |        |
| Dianne Marsh |        |
| David Bryde  |        |

**Academic Level:** FHEQ6      **Credit Value:** 24.00      **Total Delivered Hours:** 28.00  
**Total Learning Hours:** 240      **Private Study:** 212

### Delivery Options

Course typically offered: Standard Year Long

| Component | Contact Hours |
|-----------|---------------|
| Online    | 24.000        |
| Seminar   | 1.000         |

**Grading Basis:** 40 %

### Assessment Details

| Category     | Short Description | Description | Weighting (%) | Exam Duration |
|--------------|-------------------|-------------|---------------|---------------|
| Exam         | AS1               |             | 50.0          | 3.00          |
| Presentation | AS2               |             | 25.0          |               |
| Reflection   | AS3               |             | 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:

|                       |   |   |   |   |
|-----------------------|---|---|---|---|
| EXAMINATION           | 1 | 4 | 6 | 7 |
| GROUP PRESENTATION    | 2 | 3 |   |   |
| INDIVIDUAL ASSIGNMENT | 5 |   |   |   |

## **Outline Syllabus**

### *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.*

*Construction law and legal issues: 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 within the UK and European context. Professional and contractual negligence for construction professionals.*

## Learning Activities

Lectures and tutorials.

## References

|                        |                               |
|------------------------|-------------------------------|
| <b>Course Material</b> | Book                          |
| <b>Author</b>          | B. Edwards                    |
| <b>Publishing Year</b> | 2010                          |
| <b>Title</b>           | Rough Guide to Sustainability |
| <b>Subtitle</b>        |                               |
| <b>Edition</b>         | 3rd                           |
| <b>Publisher</b>       | RIBA Publishing               |
| <b>ISBN</b>            | 9781859463321                 |

|                        |                          |
|------------------------|--------------------------|
| <b>Course Material</b> | Book                     |
| <b>Author</b>          | S. Halliday              |
| <b>Publishing Year</b> | 2007                     |
| <b>Title</b>           | Sustainable Construction |
| <b>Subtitle</b>        |                          |
| <b>Edition</b>         |                          |
| <b>Publisher</b>       | Butterworth-Heinemann    |
| <b>ISBN</b>            | 9780750663946            |

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

|                        |  |
|------------------------|--|
| <b>Course Material</b> | Book   |
| <b>Author</b>          | National Audit Office  |
| <b>Publishing Year</b> | 2007   |
| <b>Title</b>           | Building for the future: Sustainable construction and refurbishment on the government estate |
| <b>Subtitle</b>        |  |
| <b>Edition</b>         |  |
| <b>Publisher</b>       | The Stationery Office  |
| <b>ISBN</b>            | 9780102944662  |

## **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.