

## Liverpool John Moores University

Title: CONSTRUCTION CONTRACT STRATEGY  
Status: Definitive  
Code: **7309BEPG** (121000)  
Version Start Date: 01-08-2015

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

Team	Leader
Edward Kirke	Y

**Academic Level:** FHEQ7      **Credit Value:** 20.00      **Total Delivered Hours:** 36.00  
**Total Learning Hours:** 200      **Private Study:** 164

### Delivery Options

Course typically offered: Semester 1

Component	Contact Hours
Lecture	11.000
Workshop	22.000

**Grading Basis:** 40 %

### Assessment Details

Category	Short Description	Description	Weighting (%)	Exam Duration
Report	AS1	CONTRACT LAW REPORT	50.0	
Exam	AS2	CLOSED BOOK	50.0	3.00

### Aims

*To develop a strategic knowledge and critical appreciation of construction contract law to enable the student to consider in detail the application of it to construction and engineering projects.*

### Learning Outcomes

After completing the module the student should be able to:

- 1 Discuss and apply the principles of contract law as it affects construction and engineering projects.
- 2 Evaluate and assess the obligations of the contracting parties within a range of standard form construction contracts.
- 3 Critically evaluate construction contracts in terms of strategic contract decisions and options.
- 4 Critically debate the application of construction contract law in regard to specific construction project risks.

### **Learning Outcomes of Assessments**

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

REPORT	1	2	3	4
EXAM	1	2	3	4

### **Outline Syllabus**

*The outline syllabus for the module will be based on the JCT SBC however extensive reference will be made to other standard forms and include the following topics:*

1. *Introduction to the Law and the English Legal System.*
2. *Introduction to principles and doctrines of Contract Law.*
3. *Scope and nature of a construction contract*
4. *Interpretation and implication of construction contract conditions and warranties particularly in relation to Express and Implied terms.*
5. *Discharge and Termination of a construction contract.*
6. *Analyse JCT Standard Building Contract in regard to the obligations of the parties:*
  - a. *Contract issues pertaining to possession, progression and completion.*
  - b. *Contract payment mechanisms in relation to Statutory Provisions.*
  - c. *Managing change.*
  - d. *Contractor Insolvency.*
  - e. *Measure of Damages.*
7. *Use of contract strategy to manage risk specifically in relation to*
  - a. *Insurance*
  - b. *Collateral Warranties*
  - c. *Excluding and Limiting conditions of contract.*
  - d. *Amendments made to standard forms*
  - e. *Assignment and sub-letting.*
8. *Review New Engineering Contract, CIOB Complex Projects Contract, and FIDIC.*
9. *Alternative dispute Resolution – Arbitration, Statutory Adjudication, Mediation etc.*
10. *Litigation and the Pre-Action Protocols.*

### **Learning Activities**

Lectures and workshops.

## **Notes**

Timetabled sessions are only a part of how you will learn on the module. A large part of what it means to study and learn at University is based on directed independent learning outside formal classes. This independent study is just as important as timetabled sessions and may involve you in extra reading, research, task development, group work, keeping up to date with current events related to your subject.