

New Graduate Course Proposal

Form Procedure

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Course Title

Course Title: * Construction Law & Contracts

Proposed Banner Abbreviation: * Construction Law & Contracts

Banner limit of 30 characters, including punctuation, spaces, and special characters.

Department/Committee Information

The main contact person for the Graduate Curriculum Committee should fill out this form.

Requestor Name: * Nirajan Mani

Members of the Graduate Curriculum Committee: Dr. Nirajan Mani, Dr. Wayne Whitfield, Dr. Soumitra Basu, Dr. Abdel Gabar Mustafa, Dr. Hong Yu

Department / Unit Developing: * Engineering Technology

Chair of Department for Program: * Nirajan Mani Chair Email: * Nirajan Mani nmani@fitchburg

Academic Dean of Department or Program: * Margaret Hoey Academic Dean E-mail: * <Dr. Hoey> mhoey@fitchburg

Program Chair Yes
 No
The Program Chair for this request is among the people listed above.

Course Information

Course Description

* This course introduces students to issues regarding administering construction contracts. It focuses on understanding of the purpose of contract documents, legal hierarchy of the documents, the interrelationships among the documents, liabilities accepted with each document, and typical challenges related to communications among the parties involved, established chain of commands, warranties, and progress/final payments.

Rationale and expected outcomes of offering the Course

* This course provides in-depth knowledge of the construction process and construction contract documents, exploring typical legal disputes which arise among developers, contractors, subcontractors, architects, and engineers. The course will examine the statutory and common law liabilities which attach once the construction process has been completed, with an emphasis on the rights and remedies of those who purchase defectively constructed or designed homes and buildings.

Expected Outcomes:

1. Understand the spectrum of legal issues that affect the construction industry
2. Identify applicable statutory and case law to apply in various factual scenarios.
3. Conduct public records research
4. Draft legal correspondence and documents to meet hypothetical clients' needs.
5. Evaluate contract language.

Number of Credits: * 3

Discipline Prefix or Prefixes: * CMGT

Brief rationale if more than one prefix:

Level of Course: 7000
 8000
 9000

Brief rationale for level choice:

The course will be: Requirement
 Elective

Elective or Requirement Note/Special:

Is there a similar undergraduate course? Yes
 No

How does this graduate course differ from the undergraduate one?

Does this course affect offerings in any other department or program? Yes
 No

Course Enrollment

Expected Average Enrollment:

This course is a replacement for: Course # / Name

Has the course been offered previously as a "Topics" course? Yes
 No

Is this an Extended Campus Course? Yes
 No

Which semester will this course be offered for the first time?:

How often thereafter to be offered?:

Course Requirements

Prerequisite course(s) if any:

Additional Requirements
Laboratory Hours: Fieldwork Hours:
Pre-Practicum Hours: Practicum Hours:

Other Requirements (specify):

Syllabus Upload

New Course Syllabus Upload: MSCM_Syllabus_Construction_Law_Contracts_Final.pdf

Signatures

*Click on the **Submit Form** button at the bottom of the page after you have signed the form. You should receive an email confirmation that your signature has been completed.*

...3431363031

Nirajan Mari 03/21/2022
Requester Signature Date

...3839393835

Nirajan Mari 04/18/2022
Department Chair Approval Date

Academic Dean Signature Date

SGOCE Dean Signature Date

Approval of the Graduate Council Date

Approval of the President Date

Notification

Reviewed by the Registrar: _____

Reviewed by the Library: _____

Retired form

SGOCE Admin. Assistant
Signature

Electronically signed by Denise Bertrand on 05/01/2022 12:52:28 PM



School of Graduate Online and Continuing Education (SGOCE)
Department of Engineering Technology
SYLLABUS
FALL 2023

Class Information:

Course: CMGT 7XXX (Construction Law & Contracts)
Credits: 3
Class Modality: Online
Class Start Date: TBD
Class End Date: TBD

Instructor Information:

Dr. Nirajan Mani
Office: CNIC 209A
Phone: 978-665-4843
Email: nmani@fitchburgstate.edu
Office Hours: M/W (11:00 A. M. – 12:15 P. M.) (By Appointment)

Recommended Reference Books and Materials:

Construction Contracts (3rd Ed.)
Author: Jimmie Hinze
Publisher: McGraw Hill
ISBN-13: 978-0073397856

Smith Currie and Hancock's Common Sense Construction Law: A Practical Guide for the Construction Professional (5th ed.)
Authors: Thomas J. Kelleher, Jr., John, M. Mastin, Jr., & Ronald G. Robey
Publisher: Wiley
ISBN-13: 978-1118858103

Supplementary Materials: Handout materials will be provided by instructor

Catalog Description:

This course introduces students to issues regarding administering construction contracts. It focuses on understanding of the purpose of contract documents, legal hierarchy of the documents, the interrelationships among the documents, liabilities accepted with each document, and typical challenges related to communications among the parties involved, established chain of commands, warranties, and progress/final payments.

Prerequisite: Graduate student standing required unless otherwise agreed upon by instructor.

Course Objectives:

This course provides in-depth knowledge of the construction process and construction contract documents, exploring typical legal disputes which arise among developers, contractors, subcontractors, architects, and engineers. The course will examine the statutory and common law liabilities which attach once the construction process has been completed, with an emphasis on the rights and remedies of those who purchase defectively constructed or designed homes and buildings.

Students Learning Outcomes:

Student will have:

1. Understand the spectrum of legal issues that affect the construction industry
2. Identify applicable statutory and case law to apply in various factual scenarios.
3. Conduct public records research
4. Draft legal correspondence and documents to meet hypothetical clients' needs.
5. Evaluate contract language.

Learning Outcomes Assessment:

Assessment tools for the above learning outcomes include homework & quizzes (outcomes: 1, 2, 3, 4, 5), project (outcomes: 3, 5), and exams (outcomes: 1, 2, 5).

Instructor Availability:

Instructor will be available during weekdays to respond your questions or concern via university email. Please contact instructor via university email if you have any questions or concern to avoid spam issue. However, this is an online class, we will use Google Meet / Hangouts for all student requested meetings.

Instructional Strategies:

The course will be conducted in an online format. This class may use lectures, demonstrations, self-guided study, group discussions, collaborative learning groups, and presentations to cover the topics in this course. PowerPoint presentations, computer applications, etc. may be utilized. Some independent learning is expected of the students; they should complete assigned readings prior to each class session and actively engage in discussions and activities to facilitate their understanding of classroom presentations. Every effort will be made to meet the individual needs and various learning styles of the course participants. It is most important that you inform the instructor at the beginning of the semester of any particular unique needs.

Course Topics:

The following topics will be covered in the course. The following listing is a general indication of the order of their coverage. However, faculty instructor reserves the right to change the order of coverage and the topics to be covered based upon the class's performance and interests.

- Introduction and Scope of Course
- Parties Involved in a Construction Project
- Project Delivery Methods
- Contracts and AIA Forms
- Contract Classifications
- Issues in Contract Administration

- Contract Documents
- Scope of Work
- Design Professionals
- Subcontractors and Suppliers
- Government Contracting
- Performance & Administration
- Differing Site Conditions
- Changes
- Time & Delays
- Price & Payment
- Completion, Termination & Default
- Risk Management & Insurance
- Suretyship & Bonding
- Disputes: Claims, Litigation, Alternative Dispute Resolution (ADR), Damages
- Economic Loss Doctrine

Grading System:

Range	Letter Grade	Quality Points
95 - 100	A	4.0
92 - 94	A-	3.7
89 - 91	A- / B+	3.5
86 - 88	B+	3.3
83 - 85	B	3.0
80 - 82	B-	2.7
77 - 79	B- / C+	2.5
74 - 76	C+	2.3
71 - 73	C	2.0
0 - 70	C-	0
Withdrawn		W
Incomplete		IN
In-Progress		IP
Audit		AU
Satisfactory		S
Unsatisfactory		U

** Grades that fall between intervals will be rounded to the higher number.*

Evaluation Criteria:

Quizzes	10%
Homework	30%
Exam I	20%
Exam II	20%
Project	20%

** The instructor reserves the right and the responsibility for adjusting these items and their weights as necessary to meet specific situations as they may arise.*

Student Responsibilities and Class Requirements:

Each student is responsible for completing all course requirements and for keeping up with all activities of the course. Students are required to complete all assigned homework, quizzes, exams, and project work by the given deadline.

Policy on Assignments:

All assignments must be turned in on the blackboard on Sundays per the documented dates in the syllabus. Feedback to your submissions will be posted on the blackboard within 72 hours (96 hours for a class of 60 or more students) after the weekly submission due date and time. It means that if you chose to submit your assignment early, it will be graded at the scheduled time and not before. Work submitted after due date will receive a grade of zero. All assignments must conform to APA writing style and include a reference list (not a work cited or bibliography).

Students with extenuating circumstances, such as a medical emergency or other emergencies must provide written proof of such event, and report such events within 24 hours and make arrangement to complete assignments in a timely manner. Failure to do so will result in a penalty up to 50%. Make up examinations (if part of course) will only be offered at the discretion of the instructor.

Technology Initiatives:

Users of the Fitchburg State University computer systems are subject to all applicable federal, state, and international computer laws. Questions regarding regulations may be directed to the office of Information Technology Systems.

Students will utilize technology as:

- A research tool; (a means of discovering current trends and substantive research articles in education)
- A communication method
- An enhancement tool for the design of PowerPoint presentations (for recorded presentations-individual/group)

Fitchburg State University Library Online Services:

The Fitchburg State University Library online services may be accessed through the Fitchburg State University Homepage <https://library.fitchburgstate.edu/>. Students may access any of several full-text online databases. Passwords are available to students by calling 978.665.3063. Students may access the Fitchburg State University Career Service and Counseling Services Center via the college's homepage at <https://www.fitchburgstate.edu/student-support/career-support/career-resources>.

Disabilities Accommodation:

Students requiring course alterations or accommodations due to a disability or emergency medical condition, should inform instructor as soon as possible. You should also work with the Disability Services Office (978-665-4020). They will provide you with the forms needed to determine the particular accommodations that your situation merits.

University Academic Dishonesty Policy:

Fitchburg State University's policy on Academic Dishonesty will be enforced in this course.

Please refer to the university catalog on this policy. Plagiarism and cheating are inexcusable. Any instance of plagiarism or cheating will result in lowered grade and possible failing the course.

Tentative Schedule:

Week	Topics	Remarks
Week 1	Introduction & Scope; Parties Involved in a Construction Project	
Week 2	Project Delivery Methods	<i>Homework 1 due</i>
Week 3	Contracts, Classifications, and AIA Forms	
Week 4	Issues in Contract Administration; Contract Documents	<i>Homework 2 due</i>
Week 5	Scope of Work; Design Professionals	<i>Quiz 1 due</i>
Week 6	Subcontractors and Suppliers	<i>Assign Final Project</i>
Week 7	Government Contracting	<i>Exam I due</i>
Week 8	Performance & Administration	
Week 9	Differing Site Conditions; Changes, Time, & Delays	<i>Homework 3 due</i>
Week 10	Price & Payment; Completion, Termination, & Default	
Week 11	Risk Management & Insurance	<i>Homework 4 due</i>
Week 12	Suretyship & Bonding; Disputes, Claims, Litigation, ADR, Damages	
Week 13	Economic Loss Doctrine	<i>Quiz 2 due</i>
Week 14	Project Week / Recorded Project Presentation	<i>Project Report & Presentation due</i>
Week 15	Final Exam	<i>Exam II due</i>

Note: The instructor reserves the right to modify this syllabus and schedule.