

Contract Administration and Practice

Module Descriptor

Module Code: QSP5CPR

Version: 7.00

Status: Final

Date: 15/09/2022

Summary Module Details

Module details

Module Title: Contract Administration and Practice

Module Leader: Priti Lodhia

Module Mode: Supported online learning

Semester: Autumn (UK)

Level: 5

Credits: 20

Learning Hours: 200

Contact and Study Hours:

Directed Study Time: 90 hrs (45%)

Self-directed Study Time: 50 hrs (25%)

Assessment Study Time: 60 hrs (30%)

Assessment Type:

Coursework: 100%

Computer Marked Assessment: 0%

Self-directed Research Project: 0%

Portfolio: 0%

Module Summary

This module develops the knowledge gained from contract and tort law to focus on the specific aspects of construction projects where it is common to find standard forms of building contracts.

The purpose of the module is to develop a broader understanding of law and to apply it to common eventualities on construction and building services projects.

This module will provide students with the contractual knowledge required to deal on behalf of all parties associated with construction contracts from inception to completion.

Taken on which Programmes

BSc (Hons) Quantity Surveying (C)

BSc (Hons) Construction Management (C)

Core (C) or Elective (E)

Module Aims

This module aims to:

- Provide students with the principles and practice associated with dealing with standard forms of construction contracts;
- Give students contractual knowledge required to deal on behalf of all parties associated with construction contracts, from inception to completion;
- Set out the stages of the construction contract process by giving illustrated examples of good practice, making clear the role and responsibilities of each of the parties to the contract, and how these responsibilities are best delivered;
- Cover various standard forms of contracts and, where possible, provide international examples through the interaction with experts and providing further research and reading in this area.

Module Learning Outcomes

- LO1. Assess the procurement options for development projects and methods for selecting contractors.
- LO2. Use standard forms of contracts effectively and determine the appropriate contract for given situations.
- LO3. Analyse scenarios and legal cases and discuss the appropriateness of different approaches.
- LO4. Examine the principles of construction contract administration, the competence required in contract administrative duties, and the legal implications of administrative actions.
- LO5. Analyse and interpret evidence, fact and opinion to inform contract administration, cost control decision-making and dispute resolution.

Indicative Module Content

Module topics

- **Contract procurement strategy**

Construction procurement, contracting strategy, process for selecting the project team, primary project procurement paths and the advantages/ disadvantages to each, partnering, the process of selecting an acceptable project procurement path, relationship between information, and risk and control.

- **Contractor and sub-contractor selection**

Appointing and need for the contractor and sub-contractor types, factors affecting their selection, multi-criterion approach to selection, award criteria and tender evaluation.

- **Standard forms of contract**

Using the correct form of contract, limitations to each form of contract, implications of each form of contract.

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- **Setting up the contract**

Procedure for completing the contract form, dealing with qualifications in tenders, establishing a valid contract document. Importance of insurances in construction contracts, major differences between insurances policies, bond, guarantees and collateral warranties. Insurance requirements in standard forms of building contracts.

- **Contract administration: payment**

Payment procedure, basic payment provisions under UK Construction Act 1996, interim and final payments, compiling a claim, heads of claim, final certificate and financial reporting.

- **Contract administration: changing the contract**

Architect's instructions, variations, powers of the architect to order variations to the work, how to value variations.

- **Contract administration: quality control**

Contract provisions for controlling quality, role and responsibilities of those involved in quality control, dealing with defective work.

- **Contract administration: time**

Controlling time on projects, roles and responsibilities of those involved in the management of time, contractual framework in respect of delays to the work.

- **Contract administration: damages**

Legal principles relating to damages on construction projects, liquidated damages, damages in construction.

- **Contract administration: insolvency**

Types of insolvency, identifying insolvency, procedure for contract continuation.

- **Contract administration: fluctuations**

General principles underlying the various options for dealing with fluctuations, comparing and contrasting different techniques.

- **Introduction to dispute resolution**

Adjudications, litigation and arbitration, major methods of alternative dispute resolution, UK Construction Act and the Scheme for Construction Contracts, solving disputes.

- **Capital allowances: an overview**

Capital allowances, plant and machinery, building services, industrial buildings, case study.

- **Cost control: contractual aspects from a contractor's perspective**

Financial monitoring, cost reporting, claims, fluctuations, capital expenditure flow, contractors forecasting and cost control, cost/value reconciliation, standard costing.

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This content will be reviewed and updated regularly to reflect the legal, moral and financial changes in professional standards and practice.

Overview of Summative Assessment

Module learning outcomes	Assessment	Word count or equivalent	Weighting
LO1, LO2, LO3	Assessment 1 Coursework	1,600	40%
LO1, LO2, LO3, LO4, LO5	Assessment 2 Coursework	2,400	60%

Module Pass Mark (as a weighted average of all assessments): 40%

Key Module Learning Resources

Core Sources and Texts

The core reading resources within each module will be provided via the specific Virtual Learning Environment (VLE) module pages and within the e-Library. Additional reference material and supplementary resources to support your studies are available through the UCEM e-Library.

Module tools

Students will have access to study materials, dedicated academic support, student forums, and learning activities via an online learning platform (VLE).

The module page on the VLE is broken down into structured study weeks to help students plan their time, with each week containing a mixture of reading, case studies, videos/recordings and interactive activities to go through. Online webinars/seminars led by the Module Leader can be attended in real time and provide opportunities to consolidate knowledge, ask questions, discuss topics and work through learning activities together. These sessions are recorded to support students who cannot attend and to enable students to recap the session and work through it at their own pace. Module forums on the VLE provide further opportunities to discuss topics with other students, complete collaborative work and get extra help from the module team.

Professional online resources

The e-Library provides access to trusted, quality online resources, selected by subject specialists, to support students' study. This includes journals, industry publications, magazines, academic books and a dissertation/work-based library. For a list of the key industry specific and education resources available please visit [the VLE e-Library](#).

Other relevant resources

Access is also provided to further information sources that include the British Library and Open University UK catalogues, as well as providing a monthly current awareness service

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entitled, ***Knowledge Foundations*** - a compendium of news, research and resources relating to the educational sector and the Built Environment.

The module resource list is available on the module website and is updated regularly to ensure materials are relevant and current.