

Table of Contents

MGMT08034 2019 Construction Contracts and Dispute Resolution	2
Coursework / Continuous Assessment Breakdown	3
Full Time Mode Workload	3
Part Time Mode Workload	3
Module Resources	3
Required Book List	4
Recommended Book List	4

MGMT08034 2019

Construction Contracts and Dispute Resolution

Full Title	Construction Contracts and Dispute Resolution		
Transcript Title	Construction Contracts and Dis		
Status	IB - Uploaded to Banner	Module Code	MGMT08034
NFQ Level	08	ECTS Credits	05
Subject Area	MGMT - Management	Attendance	N/A %
Grading Mode	Numeric/Percentage	Module Duration	Semester - (15 Weeks)
Start Term	2019 - Full Academic Year 2019-20	End Term	9999 - The End of Time
Module Leader	Mel Casserly	Department	CENG - Civil Eng. and Construction
Module Co-Authors			
Gary McGinty			

Module Description
<p>This module will cover the standard forms of contract in use in construction, sources of contractual claims, presentation and writing of claims, as well as dispute resolution mechanisms used under those standard forms.</p> <p>Statutory Adjudication in construction contracts will also be included.</p>

Indicative Syllabus
<ol style="list-style-type: none"> 1. An outline of main forms of construction contract in use, 2. Detailed review of Public Works Contract including contract administration 3. Review of New Engineering Contract (NEC3 & NEC4) & FIDIC forms of contract. 4. Risk Allocation in Construction Contracts 5. Contractual Claims, formulating and appraising 6. Facilitative methods of Dispute resolution including Mediation & Conciliation 7. Adjudication under the Construction Contracts Act 2013 8. Adjudicative methods of Dispute Resolution including Arbitration, Dispute Review Boards, Expert Determination.

	Learning Outcomes <i>On completion of this module the learner will/should be able to;</i>
1.	Understand the standard forms of contract, administration of the contract, and risk allocation
2.	Select and evaluate the appropriate forms of contract to allow for correct risk allocation
3.	Discriminate and appraise various methods of dispute resolution available in construction
4.	Apply techniques to the preparation and appraisal of contractual claims
5.	Understand the legislative responsibilities of various parties in the construction process

Teaching and Learning Strategies
Lectures and Seminars

Module Assessment Strategies
Continuous Assessment through Project & Quizzes
End of Term Exam

Repeat Assessment Strategies
Repeat Exam and Projects as necessary

Programme Membership

SG_CCONS_K08 201900 Level 8 Honours Degree Add-on in Construction Project Management
 SG_SCONS_H08 201900 Bachelor of Science (Honours) in Construction Project Management and Applied Technology

Coursework / Continuous Assessment Breakdown

Coursework & Continuous Assessment	40 %	End of Semester / Year Formal Exam	60 %
------------------------------------	------	------------------------------------	------

Coursework Assessment

Title	Type	Form	Failed Element	Percent	Week	Outcomes Assessed
Multiple Choice Moodle Quiz	Continuous Assessment	Assessment	No	10 %	Week 5	1,2,5
Project	Continuous Assessment	Individual Project	No	30 %	Week 8	2,3

End of Semester / Year Assessment

Title	Type	Form	Failed Element	Percent	Week	Outcomes Assessed
Final Exam Exam	Final Exam	Assessment	No	60 %	Week 15	1,2,3,4

Full Time Mode Workload

Type	Location	Description	Hours	Frequency	Avg Workload
Lecture	Flat Classroom	Lectures	3	Weekly	3.00
Independent Learning	UNKNOWN	Independent Learning	4	Weekly	4.00

Total Full Time Average Weekly Learner Contact Time 3.00 Hours

Part Time Mode Workload

Type	Location	Description	Hours	Frequency	Avg Workload
Lecture	Online	Lectures	2	Weekly	2.00
Independent Learning	UNKNOWN	Independent Learning	5	Weekly	5.00

Total Part Time Average Weekly Learner Contact Time 2.00 Hours

Module Resources**Non ISBN Literary Resources**

Hutchinson G.Brian, Arbitration and ADR in Construction Disputes, , Thomson Reuters Ireland, 2010
 Richbell David, Mediation of Construction Disputes, Blackwell publishers, 2008
 Egglestone, B., The NEC3 Engineering and construction Contract; A Commentary, Blackwell Publishing 2006
 Chappel & Powell Smith, Building Contract Claims, Blackwell Publishers, 2006

Journal Resources

None

URL Resources

<https://dbei.gov.ie/en/Construction-Contracts-Adjudication-Service/> - DBEI Construction Adjudication Service
<http://etenders.gov.ie/> - Etenders
<https://constructionprocurement.gov.ie/> - Government Construction Contracts Website


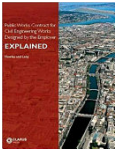
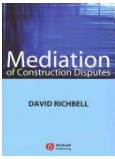
Other Resources

<http://www.irishstatutebook.ie/eli/2013/act/34/enacted/en/html> - Construction Contracts Act
<http://www.engineersireland.ie/EngineersIreland/media/SiteMedia/services/dispute-resolution/docs/Conciliation-Procedure-2013.pdf> - Engineers Ireland Conciliation Procedure 2013 For use with the PWC Suite of Contracts

Additional Information

None

Required Book List

Cover	Book Details
	James, M., (2009). <i>Minor and Short Forms of Public Works Contracts Designed by the Employer Explained</i> . ISBN 1905536283 ISBN-13 9781905536283
	James, M., (2008). <i>Public Works Contract for Civil Engineering Works Designed by the Employer Explained</i> . ISBN 1905536194 ISBN-13 9781905536191
	Richbell, D., (2008). <i>Mediation of Construction Disputes</i> . . Wiley-Blackwell. ISBN 1405169311 ISBN-13 9781405169318

Recommended Book List

Cover	Book Details
	, H., (2010). <i>Arbitration and ADR in Construction Disputes</i> 2010 Edition ¹ Edition. Thomson Reuters Ireland.

Administrative Information	
Date Created	25-03-2019
Module Owner	Mel Casserly
Date School Approved	12-07-2019
Module Approver	Trevor McSharry
Date Academic Council Approved	12-07-2019